

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2820 of 2021**

- Jaybahadur Nisad, S/o Late Dudhnath Nisad, aged about 45 years, Residence of Badhora Thana Sikrar, District Jaunpur (U.P.)

---- Applicant

**Versus**

- State Of Chhattisgarh Through Police Station Sirgitti, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

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|-------------------------|---|---------------------------------------|
| For Applicant           | : | Shri Vikas Kumar Pandey, Advocate.    |
| For Non-applicant/State | : | Ms. Smriti Shrivastava, Panel Lawyer. |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**  
**Order on Board**

**01.07.2021**

1. Heard on the application filed under Section 439 of Cr.P.C. This is the first bail application filed for grant of regular bail. The Applicant has been arrested on 28.01.2021 in connection with Crime No. 52 of 2021 registered at Police Station Sirgitti, District Bilaspur (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substance Act, 1985.
2. It is submitted by the learned counsel for the Applicant that the Applicant has been falsely implicated in this case. The Applicant is in jail since 28.01.2021. Charge-sheet has been filed and the trial against him is not making any progress. Therefore, it is prayed that the bail may be granted to the Applicant.
3. The learned counsel for the State opposes the application and the submission made in this respect. It is submitted that looking to the gravity of the offence, the Applicant is not entitled for grant of bail.

4. I have heard the learned counsel for the parties and perused the record.
5. As per the prosecution case, on the basis of a confidential information received, the Police personnel of Police Station Sirgitti, District Bilaspur (C.G.) have seized 12 kg 144 grams Ganja from the possession of the Applicant. On the basis of which the offence has been registered.
6. Considered on these submissions. It appears that the trial against the Applicant has been pending and it is getting extended due to the pandemic situation, therefore, I am inclined to allow this bail application.
7. Consequently, the application filed by the Applicant under Section 439 of Cr.P.C for grant of regular bail is hereby allowed.
8. It is directed that the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-  
**(Rajendra Chandra Singh Samant)**  
**Judge**