

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2692 of 2021**

- Lovedip Devol, S/o Bhupendra Devol, aged about 21 years, R/o Housing Board Colony, Bhilai, Thana – Jamul, District Durg (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station – Chhura, District – Gariyaband (C.G.)

---- Non-applicant

For Applicant	:	Shri Vikas Pradhan, Advocate.
For Non-applicant/State	:	Shri Anil Tripathi, Panel Lawyer.

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 21.10.2020 in connection with Crime No. 154 of 2020 registered at Police Chhura, District Gariyaband (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 21.10.2020. Charge-sheet has been filed and the trial against him is not making any progress. The prosecution witnesses including seizure witnesses have been examined before the trial Court and they have not supported the case of prosecution and turned hostile. 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 basis of confidential information received, the Police personnel of Police Station Chhura, District Gariyaband (C.G.) have seized 32.436 kg 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, further the witnesses of search and seizure have examined in the trial, who have not supported the prosecution case, 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