

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2910 of 2021**

- Gundul Sahu, S/o Jageshwar Sahu, aged about 38 years, R/o Village Ghoddeva, Thana Baki Mongara, District Korba, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer Police Station Basna, District Mahasamund Chhattisgarh.

---- 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

02.07.2021

1. Heard on the application filed under Section 439 of Cr.P.C. This is the second bail application filed for grant of regular bail. The previous application MCRC No. 3356 of 2019 was dismissed as withdrawn on 19.07.2019 by the Coordinate Bench of this Court, which is no longer available.
2. The Applicant has been arrested on 31.07.2018 in connection with Crime No. 343 of 2018 registered at Police Station Basna, District Mahasamund (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substance Act, 1985.
3. The co-accused-Bharat Lal Chandra has been granted bail by this Court on 29.01.2019 in MCRC No. 694 of 2019, although the bail was granted to him on medical ground.
4. It is submitted by the learned counsel for the Applicant that Applicant has been falsely implicated in this case. The Applicant is in jail since 31.08.2018. 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.

5. 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.
6. I have heard the learned counsel for the parties and perused the record.
7. As per the prosecution case, on the basis of a confidential information received, the Police personnel of Police Station Basna, District Mahasamund made seizure of 18.5 kg of Cannabis from the joint possession of this Applicant and co-accused-Bharat Lal Chandra, on the basis of which the offence has been registered.
8. Considered on these submissions. It appears that the trial against the Applicants have been pending and it is getting extended due to the pandemic situation, I am inclined to allow this bail application.
9. Consequently, the application filed by the Applicants under Section 439 of Cr.P.C for grant of regular bail is hereby allowed.
10. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

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