

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3837 of 2021**

Abhay Panigrahi S/o Pradeep Panigrahi Aged About 29 Years R/o Ofreto Colony, P.S. Chitrakonda, Distt. Malkhangiri Orissa.

---- Applicant**Versus**

State Of Chhattisgarh Through P.S. - Sukma, Distt. Sukma Chhattisgarh.

---- Respondent

For the Applicant : Shri Vikash Shrivastava, Advocate.

For the Respondent/State : Shri Shakti Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER**08.07.2021**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.4 of 2021, registered at Police Station – Sukma, District – Sukma, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that he is in jail since 11.1.2021 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail

application and the submissions made in this respect. It is submitted that the applicant is resident of Orissa and if he is released on bail he may not be available for the trial. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, 8 kg of cannabis was seized from the possession of this applicant and co-accused – Bali Pangi jointly. Hence, this case.

6. Considered on the submissions. As the charge-sheet has been filed in this case and the quantity of cannabis seized is more than small quantity and less than commercial quantity, I feel inclined to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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 trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge