

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3885 of 2021

- Rohit Das S/o. Late Ajay Das Aged About 19 Years R/o. F/69, Atal Awas 02 Dharampura Kalipur, Near Polytechnic College Jagdalpur District Bastar Chhattisgarh., District : Bastar (Jagdalpur), Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh; Through: The Police Station Bodhghat District Bastar Chhattisgarh., District : Bastar (Jagdalpur), Chhattisgarh

---- Non-applicant

For Applicant – Shri Pravin Kumar Tulsyan, Advocate.

For State/Non-applicant – Shri Ashish Tiwari, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22-06-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 26-05-2021 in connection with Crime No.161/2021 registered at Police Station – Bodhghat District Bastar, Chhattisgarh for the offence under Section 20 (b) (ii)(b) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. It is submitted by learned counsel for the applicant, that the applicant has been falsely implicated. No offence has been committed by the applicant as alleged in the case against him. He is in jail since 26-05-2021. The applicant is a student of B.Com II year and his annual examination are scheduled from 29th June, 2021. Therefore, if he continues in detention his future prospects will be spoiled. Therefore, it is prayed that he may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that the quantity of contraband seized from this applicant amounts to more than small quantity. Although there is no previous antecedent of this applicant, but he is not entitled for grant of bail.

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

5. Police personnel of Police Station Bodhghat, District Bastar made

seizure of 8.5 kg. Ganja from the possession of this applicant. Hence, this case.

6. Considered on the submissions. The applicant is a student, documents have been filed to show regarding his enrollment as student in Shahid Mahendra Karma Vishwavidyalaya, Bastar, also for the reason that the applicant does not have any criminal antecedent and he is local resident of Jagdalpur, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge