

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 4021 of 2021

- Prakash Soni S/o Rajendra Soni Aged About 35 Years Resident of Ward No. 16, Somwari Bazar, Nawapara, Police Station Gobra Nawapara , District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gobra Nawapara , District Raipur Chhattisgarh.

---- Non-Applicant

For Applicant	: Mr. Satya Prakash Verma, Advocate
For State/Non-Applicant	: Mr. Ajay Kumhrani, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

13.07.2021

1. Heard.
2. This is 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. 487 of 2020, registered at Police Station – Gobra Nawapara District – Raipur (C.G.), for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substance Act, 1985.
3. It is submitted by the learned counsel for the Applicant that the applicant is in jail since 25.11.2020. Trial against the Applicant is getting delayed. It is prayed that the applicant may be granted bail.

4. On the other hand, learned counsel for the State opposes the bail application and submits that this Applicant is having a criminal history. He was prosecuted in 16 previous cases for various offences under the Indian Penal Code and also under Arms Act. Therefore, he is not entitled for grant of bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. The police personnel of Police Station, Gobra Nawapara, District - Raipur has made a seizure of 1.6 kg cannabis from the possession of this Applicant. Hence, this case.
7. Considered on the submissions and the circumstances that the applicant is in jail since about 1 year and that the trial against him is not making any progress. He appears to be a local resident of District – Raipur. Further, he is not a habitual offender of NDPS Act, hence for these reasons , I am inclined to allow this application.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
9. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge