

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 5294 of 2021**

Kishan Jagat, S/o. Mahesh Jagat, aged about 33 years, R/o. Ward No. 10, Near Station Chowk, Odiya Para, Roop Nagar, Kumhari, District Durg (Chhattisgarh).

---- Applicant

Versus

State of Chhattisgarh, Through : The Police Station Urla, District Raipur (Chhattisgarh).

---- Respondent

For Applicant	: Mr. P.K. Tulsyan, Advocate
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**25/08/2021**

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.136/2021, registered at Police Station – Urla, District – Raipur (C.G.) for the offence punishable under Section 20 (B) of Narcotic Drugs Psychotropic Substance Act.
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 17.05.2021. Charge-sheet has been filed in this case. As there is likelihood of delay in conclusion of trial. Hence, it is prayed that the applicant may 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 quantity of contraband seized is more than small quantity.

Hence, it is prayed that the applicant may not be released on bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, 10 Kg. Ganja was seized from the possession of this applicant by the police personnel of Police Station – Urla.
6. Considered on the submissions. As it appears that this applicant does not have any criminal antecedents and there is likelihood of delay in conclusion of trial, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on this 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