

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4742 of 2021**

Bablu Rajak S/o Kailash Chand Rajak, Aged about 41 years, R/o House No.20 Vishwakarma Colony Bypass Road Karod, Bhopal (MP)

---Applicant

Versus

State of Chhattisgarh Through P.S. - Tongpal, Distt.Sukma (CG)

---Non-Applicant

For Applicant	:	Mr.Vikas Shrivastava, Advocate
For Non-applicant	:	Mr.Sanjay Pathak, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board (Through Video Conferencing)

27/08/2021

1. The accused/applicant has moved this third bail application under Section 439 of the Code of Criminal Procedure, 1973 for release him on regular bail during trial in connection with Crime No.30/2019, registered at Police Station-Tongpal, Distt.Sukma (CG), for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substance Act, 1985.
2. Case of the prosecution, in brief, is that 19.500 kg. of ganja was recovered from possession of the present applicant and thereby committed the aforesaid offence.
3. Mr.Vikas Shrivastava, learned counsel appearing for the applicant, would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. The ganja recovered is more than small quantity, but less than commercial quantity and only two witnesses have been examined. The applicant is in jail since 26.7.2019 i.e., more than two years and therefore, he may be released on regular bail.
4. On the other hand, Mr.Sanjay Pathak, learned counsel for the State

would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of offence, the fact that the applicant is in jail for more than two years and only two witnesses have been examined and there is no substantial progress in the trial, 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 third bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of ₹ 25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-