

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 5016 of 2021**

Nandu Venkat Rao Mohite, S/o. Venkat Rao, Aged About 26 Years, R/o. Village Vardha, Thana- And District- Vardha (Maharashtra).

---- Applicant**Versus**

State Of Chhattisgarh, Through- Station House Officer, Police Station- Komakhan, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vikash Pradhan, Advocate
For Respondent/State	: Mrs. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****19/08/2021**

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.38/2019, registered at Police Station – Komakhan, District – Mahasamund (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 15.03.2019. Charge-sheet in this case has been filed. Trial of this case is likely to take sometime. Co-accused Taufik Aalam and Amar Raut have been enlarged on bail by the Coordinate Bench of this Court. Hence, it is prayed that the applicant may also 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 the contraband is commercial quantity and the applicant is resident of Maharashtra and if he is enlarged on bail, he may not be available for trial, therefore, the applicant is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, 60 Kg. Ganja was seized from the possession of this applicant and co-accused persons jointly. Hence, this case.
6. Considered on the submissions. As the co-accused persons have been granted bail in this case, hence, on the ground of parity, 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 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