

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5268 of 2021**

Laxman S/o Amarchand Aged About 24 Years R/o Mohalla Nahar Singh Village Nandgaon, Tahsil Chhata, District- Mathura Uttar Pradesh. Presently R/o Mana Camp Basti, Police Station- Mana, District- Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station- Civil Lines District- Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri J.K. Gupta, Advocate.
For the Respondent/State : Shri Anil Tripathi, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****25.08.2021**

Heard.

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.163 of 2021, registered at Police Station – Civil Lines, District – Raipur, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 25.3.2021 and has been falsely implicated in this case. The co-accused in this case has been granted bail by this Court in M.Cr.C. No. 3849 of 2021 vide order dated 8.7.2021. Hence, it is prayed that the applicant 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 the applicant is permanent resident of U.P. and if he is released on bail he may not be available for the trial. Hence, the applicant is not entitled for grant of bail.

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

5. According to the prosecution case, 10.2 kg of ganja (narcotic substance) was seized from the possession of this applicant. Hence, this case.

6. Considered on the submissions. The applicant does not have any criminal antecedents and similarly placed co-accused person has been granted bail by this Court, therefore, I feel inclined to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge