

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.5082 of 2021

- Guru Pujari S/o Sukhdev Pujari Aged About 20 Years R/o Village Govindpali Police Station Bhartheli, District Malkangiri (Odisha)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kawardha District Kabirdham Chhattisgarh

---- Non-applicant

For Applicant : Mr. Dharmesh Shrivastava, Advocate.

For Non-applicant/State : Mr. Amit Kumar Verma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-08-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is the first bail application filed for grant of regular bail. The applicants have been arrested on 04.04.2021, in connection with Crime No.246/2021, registered at Police Station- Kawardha, District- Kabirdham, C.G. for offence punishable under Section 8/18 of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicants that this applicant has been falsely implicated in this case. The applicant is in jail since 04.04.2021. Charge-sheet has been filed. The trial is likely to take some time, hence, it is prayed that this applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant is a resident of Odisha, therefore, in case

he is released on bail, he may not be available for trial. Hence, this application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.
5. According to prosecution case, 628 gm. cannabis (Charas) was seized from the possession of this applicant. Hence, this case.
6. Considered on the submissions. The quantity of the 'charas' seized is more than small but less than commercial quantity. Trial in this case is likely to take some time, further, there is no criminal antecedent against this applicant, therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge