

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5361 of 2021

- Ghanaram Sahu, S/o Shri Mangalram Sahu, Aged About 58 Years, R/o Darripara, Kochwayi, Police Station Gariyaband, District-Gariyaband, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Gariyaband, District-Gariyaband, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pragalbha Sharma, Advocate.
For State/respondent	: Mr. Alok Nigam, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

26/08/2021

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.155/2021 registered at Police-Station-Gariyaband, District-Gariyaband, Chhattisgarh for the offence punishable under Sections 20(b) of Narcotics Drugs and Psychotropic Substances Act, 1985.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. He is in jail since 27.05.2021. Charge-sheet has been filed, therefore, it is prayed that this applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that contraband seized from this applicant is more than small quantity and, further, the applicant had criminal antecedent having being prosecuted under Section 302 of IPC in one case and under Section 323 of IPC in another case and he has also been proceeded against under the provisions of Code of Criminal Procedure, therefore, looking to his criminal history, the application be rejected.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. 2.5kg ganja the narcotic substance has been seized from the possession of this applicant. Hence, this case.
6. Considered on the submissions. As the charge-sheet has been filed and the trial is likely to take some time, for this reason, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge