

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.5608 of 2021

- Rajnarayan S/o Shri Gayaprasad Jaiswal Aged About 53 Years (Wrongly Mentioned In Cause Title Of Order As 46 Years), R/o Ward No. 8, Lakhanpur, P.S.- Lakhanpur, Distt.- Surguja (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Lakhanpur, District- Surguja (Chhattisgarh)

---- Non-applicant

For Applicant : Mr. Bhupendra Singh, Advocate.

For Non-applicant/State : Mr. Alok Nigam, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08-09-2021

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 applicant has been arrested on 03.07.2021, in connection with Crime No.114/2021, registered at Police Station- Lakhanpur, District- Surguja, C.G. for offence punishable under Section 20(B) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicant that this applicant has been falsely implicated in this case. The applicant is in jail since 03.07.2021. No offence has been committed by this applicant. Charge-sheet has been filed. 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 has history of two previous cases under N.D.P.S. Act and one case under Excise Act. Therefore, he is not

entitled for grant of bail.

4. In reply, it is submitted by learned counsel for the applicant that in the previous cases under N.D.P.S. Act, the applicant has been acquitted by the Court and on that date, he was arrested in this case and he was on liberty, therefore, he may be enlarged on bail.
5. Heard learned counsel for the parties and perused the case diary.
6. According to prosecution case, 2.950 kg. ganja was seized from the possession of this applicant by the police. Hence, this case.
7. Considered on the submissions and for the reason that there is likelihood of delay in conclusion of trial and also that this applicant is local resident of District- Surguja, C.G., I feel inclined to allow this application.
8. 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.
9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge