

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 5628 of 2021**

Ganesh Kumar Yadav, S/o. Naththulal Yadav, aged about 25 years, R/o. Near Ramsagar Talab, Risda Road, Balodabazar, District Balodabazar Bhatapara Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : The Station House Officer, Police Station City Kotwali, District Balodabazar - Bhatapara Chhattisgarh.

---- Respondent

For Applicant	: Mrs. Supriya Upasane, Advocate
For Respondent/State	: Mr. Alok Nigam, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**06/09/2021**

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.266/2021, registered at Police Station – City Kotwali, Balodabazar, District – Balodabazar - Bhatapara (C.G.) for the offence punishable under Section 22-B of the N.D.P.S. 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 13.05.2021. Co-accused persons in this case have been granted bail by this Court as well as by the Coordinate Bench. Therefore, it is prayed that the applicant may be released on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per prosecution case, on the date of incident in total 432 capsules of Spasmo Proxyvon Plus having content of Tramadol has been seized from the possession of this applicant and on this basis, the offence under Section 22(B) of N.D.P.S. Act has been registered.
6. Considered on the submissions. As it appears that these applicant does not have any criminal antecedents and there is no possibility of trial against him to conclude in near future, hence for this reason 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 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge