

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5968 of 2021

- Lochan Mehar, S/o Haldhar Mehar, Aged About 50 Years, R/o Village Behra, Falsapara, District-Kalahadi (Orissa).

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police-Station Devbhog, District : Gariyabandh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. S.P. Sahu, Advocate.
For Respondent/State	:	Mrs. Hamida Siddiqui, Dy. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

23/09/2021

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. 194/2021 registered at Police Station Devbhog, District Gariyaband (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs & Psychotropic Substance Act.
2. It is submitted that the applicant is innocent who has been falsely implicated in this case. The applicant is in jail since 24/07/2021. Charge-sheet has been filed, therefore, prayer is made to release the

applicant on 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 applicant is resident of Orissa, if, he is released on regular bail he may not be available for trial, which will hamper the proceeding of trial, hence, he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. 2.1kg ganja the narcotic substance was recovered and seized from the possession of this applicant when the same was being transported by him on a motorcycle. Hence, this case.
6. Considered on the submissions. The applicant does not have any criminal antecedent and there is likelihood of delay in conclusion of trial, I feel inclined to allow this bail application and release the applicant on bail.
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