

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6520 of 2021

- Dipak Tiwari S/o Devendra Tiwari, Aged About 38 Years, R/o Hirakund Colony, Police Station City Kotwali, District Sambalpur (Orissa)., District : Sambalpur, Orissa

---- Applicant

Versus

- State Of Chhattisgarh, Through - Station House Officer, Police Station Dongripali, District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

----Non-applicant

For Applicant – Shri Ashish Gupta, Advocate.

For Non-applicant/State – Shri Alok Nigam, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-10-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 28-07-2021 in connection with Crime No.62/2021 registered at Police Station - Dongripali, District Raigarh, Chhattisgarh for the offence under Section 20(B) of the N.D.P.S. Act.
2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated. He is in jail since 28-07-2021. Charge sheet has been filed. As there is likelihood of delay in trial, therefore, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that applicant is resident of Odisha, hence, in case if he is granted bail, he may not be available for trial. Therefore, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. 4 kg. Ganja has been seized from the possession of this applicant by

the police. Hence, this case.

6. Considered on the submissions. As it appears that this applicant does not have any criminal antecedent and the trial is likely to take some time before its conclusion, 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