

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 6655 of 2021

Membar Sidar S/o Sampat Sidar Aged About 32 Years R/o- Village Semrapali,
P.S. And Tahsil Sarangarh, District Raigarh (Chhattisgarh) ---- **Applicant**

Versus

State Of Chhattisgarh Through Police Station Pusour, Distt. Raigarh
(Chhattisgarh) ---- **Non-Applicant**

For the Applicant: Shri Prahalad Panda, Advocate.
For the Non-Applicant/State : Shri Sameer Uraon, Government Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24.09.2021

Heard.

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.161/2021 registered at Police Station – Pusour, District – Raigarh, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the Applicant submits that the Applicant is in jail since 20.07.2021 and has been falsely implicated in this case. He further submits that similarly placed co-accused persons namely Sushanto Mishra and Alekho Kishan have already been granted bail by this Court vide order dated 22.09.2021 passed in M.Cr.C No.6456/2021.
3. On the other hand, learned Counsel for the State, while opposing the bail application, submits that looking to the quantity of ganja seized from the present Applicant, which is a case of possession of commercial

quantity, he is not entitled to be released on bail.

4. Heard Counsel for both the parties and perused the case diary.

5. According to the prosecution case, on the date of incident, the police personnel of P.S Pusour found the present Applicant in possession 15 kgs of ganja and some seizure and search has also been made from other co-accused persons. Hence, this case.

6. Considering the submissions and the facts present in this case, the fact that co-accused persons namely Sushanto Mishra and Alekho Kishan have already been granted bail by this Court vide order dated 22.09.2021 passed in M.Cr.C No.6456/2021 and that the trial of the case is likely to take sometime for its conclusion, I feel inclined to grant regular bail to the Applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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 trial Court for his appearance before the said Court as and when directed. In case any default is committed by the Applicant in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge