

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 6786 of 2021

Jeeta Pandey S/o Dhaneshewar Pandey Aged About 50 Years R/o Village Sardha, P.S. Rengali, Tahsil Lakhanpur, District Jharsuguda (Odisha)., District : Jharsuguda *, Orissa

---- 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. The investigation is pending. Hence, it is prayed that the Applicant may be released on bail.
3. On the other hand, learned Counsel for the State opposed the bail application.
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 of a motor bike and a mobile phone, seizure of ganja has been made from the co-accused person. Hence, this case.

6. Considering the submissions and the circumstances present in this case, the fact that the present Applicant was in the company of the co-accused and was only having a bike and a mobile phone in his possession 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

Priya