

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6858 of 2021

- Ganeshar Bagarti S/o Puranchand Bagarti, Aged About 23 Years, R/o Village - Thenganal, Police Station - Dongripali, District - Sonpur (Odisha), District : Sonapur, Orissa

---- Applicant

Versus

- State Of Chhattisgarh, Through - Police Station - Sariya, District - Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

----Non-applicant

For Applicant – Mr. Sanjay Agrawal, Advocate.

For Non-applicant/State – Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-09-2021

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 11-08-2021 in connection with Crime No.173/2021 registered at Police Station - Sariya, District - Raigarh, Chhattisgarh for the offence under Section 20 (B) of Narcotic Drugs and Psychotropic Substances Act.

2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated. He is in jail since 11-08-2021. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that the applicant was in possession of the contraband which was more than small quantity. Further, the 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. 10 kg. Ganja has been seized from the possession of this applicant.

Hence, this case.

6. Considered on the submissions. As it appears that this applicant does not have any criminal antecedent and there is likelihood of delay in investigation and trial, 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