

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7114 of 2021**

D. Rocky Patnayak S/o Late Harichandra Patnayak Aged About 30 Years
R/o Bramhadehipara, Near Temple, Khamtarai, Raipur, District- Raipur,
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- P.S. Khamtarai, Raipur (C.G.), District :
Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Raj Shengale, Advocate on behalf of Shri N. Naha Roy, Advocate.
For the Respondent/State	:	Ms. Shivali Dubey, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.10.2021**

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.514 of 2021, registered at Police Station – Khamtarai, District – Raipur, 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 24.8.2021 and has been falsely implicated in this case. The charge-sheet has been filed and the trial of the case is likely to take sometime for its final disposal. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant has a previous criminal antecedents of 8 cases under the provisions of Arms Act and Indian Penal Code. Hence, he is not entitled for grant of bail.

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

5. On the date of incident, 2.035 kg of ganja (narcotic substance) was seized from the possession of this applicant. Hence, this case.

6. Considered on the submissions. The applicant although has criminal antecedents but he was at liberty when he was arrested in this case and the conclusion of the trial is likely to take some time for its final disposal, therefore, 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 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 as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-
(Rajendra Chandra Singh Samant)
Judge