

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7076 of 2021**

Vikas Sao, S/o. Shri Dilip Sao, aged about 23 years, R/o. Heerapur, Near Bengali Hotel, Kabir Nagar, District - Raipur, Chhattisgarh, Permanente R/o Power House, Bhilai, P.S. Chavni, District - Durg, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : P.S.- Urla, District - Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Devershi Thakur with Mr. Satyendra Shrivastava,
Advocates

For Respondent/State : Mr. Sameer Uraon, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**07/10/2021**

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.191/2021, registered at Police Station – Urla, District Raipur (C.G.) for the offence punishable under Section 20(C) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 20.06.2021. The witnesses of search and seizure have been examined and they have not supported the prosecution case. Hence, it is prayed that the applicant may be released on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.

5. As per the prosecution case, 30 Kg of Ganja was seized from the possession of this applicant by the police. Hence, this case.
6. Considered on the submissions and also perused the certified copy of the deposition of the search and seizure witnesses and it is found that they have not supported the prosecution case for which, they have been declared hostile by the prosecutor. Hence, looking to this development in the trial, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram