

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7164 of 2021**

- Goutam @ Bodel Banwashi S/o Madhim Sai Aged About 25 Years R/o Village Maheshpur, Police Station Sitapur, District : Sarguja (Ambikapur), Chhattisgarh.

**---- Applicant**

**Versus**

- State of Chhattisgarh Through Station House Officer, Police Of Police Station Bagicha, District : Jashpur, Chhattisgarh.

**---- Respondent**

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| For Applicant        | : | Mr. Prabhakar Tiwari, Advocate   |
| For Respondent/State | : | Mr. Ankur Kashyap, Panel Lawyer. |

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

**Order On Board**

**08/10/2021**

Heard.

1. This is the *first* bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No. 131/2021 registered at Police Station Bagicha, District Jashpur (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs & Psychotropic Substance Act.
2. It is submitted that the applicant is innocent who has been falsely implicated in this case. The applicant is in jail since 03.07.2021. No case is made out against this applicant, therefore, prayer is made to release the applicant on bail.
3. Per contra, learned State counsel opposes the bail application.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per prosecution case, in total 15.5kg of ganja was seized from the possession of this applicant and the same seizure has also been made from the possession of the co-accused persons. Hence, this bail application.
6. Considered on the submissions. The applicant does not have any criminal antecedent and there is likelihood of delay in conclusion of trial and investigation and further, that the co-accused persons have been granted bail by this Court in MCRC No.5683/2021 vide order dated 6.9.21, for these reasons, I feel inclined to allow this bail application and release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge