

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7739 of 2021**

- Bhagwano Yadav S/o Tapeswar Yadav Aged About 37 Years R/o Village Panbahar, P. S. Farshabahr, District Jashpur Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through Station House Officer, Police Station Surajpur District Surajpur Chhattisgarh

---- Non Applicant

For the Applicant	:	Shri A. K. Prasad, Advocate
For Non Applicant/State	:	Ms. Reena Singh, Panel Lawyer

Hon'ble Shri Justice Narendra Kumar Vyas**Order On Board****27.10.2021**

1. The applicant has preferred the first bail application under Section 439 of CrPC for grant of regular bail as he has been arrested on 06.08.2021 in connection with Crime No.349/2021 registered at Police Station- Surajpur, District- Surajpur (C.G.) for the offence punishable under Section 20 B of N.D.P.S. Act.
2. The case of the prosecution, in brief, is that on 06.08.2021, 11.10 kg contraband ganja was seized from the possession of the applicant and other co-accused when the same was being transported on motor-cycle.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He is in jail since 06.08.2021. No case is made out against the applicant and there is likelihood of delay in investigation and trial. He would further submit that the case of the present applicant is similar to that of other co-accused who has already been granted regular bail vide order dated 21-9-2021 passed by Co-ordinate Bench of this Court in M.Cr.C.No. 6346 of 2021, therefore, on the same ground of parity, present applicant may also be granted regular bail.
4. On the other hand, learned counsel for the State though opposes the bail application has not disputed the fact that the other co-accused has already been granted regular bail by Co-ordinate Bench of this court.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, as it appears that the applicant does not have any criminal antecedent and he is local resident of District Jashpur, further considering the fact that the applicant is in jail since 6-8-2021 and also the fact that the other co-accused has already been granted regular bail by co-ordinate Bench of this Court, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed by applicant is allowed and 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 for the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the said trial Court, till disposal of the trial.
8. It is made clear that applicant shall not involve himself in any offence of similar nature in future, otherwise bail granted to him shall be liable to be cancelled without further reference to the bench.

Certified copy as per rules.

Sd/-

(Narendra Kumar Vyas)

Judge

Parul