

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8137 of 2021**

- Suklu Ram Alias Chinnu Sethiya, S/o Ganga Ram Sethiya, Aged About 30 Years, R/o Village Kikirpal Vekopara, Tahsil Chhidgarh, Thana Pusal, District Sukma (Chhattisgarh).

---- Applicant**Versus**

- State of Chhattisgarh Through- Station- Pusal, District- Sukma (Chhattisgarh).

---- Respondent

For Applicant	: Mr. Ajeet Singh, Adv.
For Respondent/State	: Ms. Ishwari Ghritlahre, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01.11.2021**

1. The accused/applicant has moved this **second bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 07/2020 registered at Police Station- Pusal, District- Sukma (C.G.) for the offence punishable under Section 20 (B) the N.D.P.S. Act.
2. Earlier, the first bail application of the applicant was dismissed on 18.08.2021 passed in MCRC No. 4045/2021 by this Court.
3. The prosecution story, in brief is that, on 01.06.2020, on the basis of secret information, police personnel seized 21.145 KG of Ganja from the possession of present applicant. Thereafter, offence has been registered against the applicant and he has been taken into custody.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that material witnesses have not supported the prosecution case before the trial court and declared hostile. He next added that the applicant is in jail since

01.06.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the records.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that material witness have not supported the prosecution case before trial court and turned hostile and the applicant is in jail since 01.06.2020, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
8. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

R/-