

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.8222 of 2021**

Surendra Kumar Sonman @ Jamurra, S/o Amarnath Sonman, aged about 28 years, R/o Ekta Nagar, Godripara, P.S. Chirmiri, Distt.Koriya (CG)

---Applicant

Versus

State of Chhattisgarh Through Police Station Chirmiri, Distt. Koriya (CG)

---Non-applicant

For Applicant	:	Mr. Anuroop Panda, Advocate
For Non-applicant	:	Mr.Amit Buxy, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

21/12/2021

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.353/2021, registered at Police Station-Chirmiri, District-Koriya (CG), for the offence punishable under Section 20(B) of the NDPS Act.

2. Case of the prosecution, in brief, is that 1.2 kg. of ganja was recovered from the possession of the present applicant.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 28.9.2021 and charge-sheet has already been filed. He would also submit that the applicant is ready to abide by conditions, if any, imposed by this Court while granting bail to him, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant, his pre-trial detention from 28.9.2021 and the fact that charge-sheet has already been filed, 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 the applicant shall be released on bail on his furnishing a personal bond in the sum of ₹2,00,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed and he shall abide by all the following terms and conditions:-

- (i) that the accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (ii) that the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial;
- and

- (iii) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial unless exempted; and
- (iv) that the applicant will not temper any witnesses/documents and will not involve in like nature of offence.
- (v) In case of violation of such conditions, the State is at liberty to make an application for cancellation of bail.

Certified copy as per rules

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-