

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8524 of 2021**

Bhagwant Singh S/o Charan Singh Aged About 54 Years R/o Laxman
Talaiya New Prem Nagar, SP Ashram P.S. Bahodapur, District Gwalior M.P.

---- Applicant**Versus**

State Of Chhattisgarh Through P.S. - Chindgarh District Sukma
Chhattisgarh.

---- Respondent

For the Applicant : Shri Santosh Bharat, Advocate.
For the Respondent/State : Shri Ravi Bhagat, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****11.11.2021**

Heard.

1. This is the second bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn in M.Cr.C. No. 4004 of 2021 dated 13.7.2021. The applicant has been arrested in connection with Crime No.40 of 2020, registered at Police Station – Chindgarh, District – Sukma, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 8.12.2020 and has been falsely implicated in this case. The witnesses of search and seizure have been examined before the trial Court have not supported the prosecution case. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that huge quantity of contraband has been seized from the possession of this applicant. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, on the date of incident, 56 kg of ganja (narcotic substance) was seized from the possession of this applicant when the same was being transported in a vehicle. Hence, this case.

6. Considered the submissions and the facts present in this case. Perused the certified copy of the deposition of the witnesses of search and seizure who have not supported the prosecution case. Hence, looking to this development, I feel inclined to grant bail to the applicant in this case.

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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-
(Rajendra Chandra Singh Samant)
Judge