

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7034 of 2018**

Praveen Kumar S/o Sugandh Chand Chhokad, Late Hukumchand, aged about 40 yers, R/o Village Pasina Khurd, P.S. Panipat, Post Pasina Kalan, District Panipath (Haryana).

**--- Applicant**

**Versus**

State of Chhattisgarh, Through: Police Station Bodhghat, District- Bastar (C.G.).

**---- Respondent**

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For Applicant	:	Mrs. Kiran Jain, Advocate
For Respondent	:	Mrs. Smita Ghai, PL

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Hon'ble Shri Justice Arvind Singh Chandel

**Order on Board**

**31/10/2018**

1. The applicant has preferred this Second bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 427/2017 registered at Police Station- Bodhghat, District- Bastar (C.G.) for the offence punishable under Section 20 (b) of the NDPS Act.
2. First bail application of this applicant has been rejected on merit vide order dated 21/05/2018 passed in MCRC No. 1653/2018.
3. As per prosecution story, on 25/12/2017 on the basis of information received from the informant, the applicant along with co-accused Rakesh was searched by the police party and they seized 8-8 kgs Ganja from their possession. The applicant was arrested on 26/12/2017.
4. Learned counsel appearing on behalf of the applicant submits that though the first bail application of the present applicant was rejected

on 21.05.2018 but the co-accused Rakesh has already granted benefit of bail by this Court vide order dated 24/08/2018 passed in MCRC No. 5494/2018, the case of the present applicant is also same, he is in custody since 26.12.2017 and looking to the changed circumstances, the applicant may be released on bail.

5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned counsel for both the parties.
7. Considering the entire facts and circumstances of the case, particularly considering the fact that the applicant is in custody since 26/12/2017, co-accused has already released on bail, therefore, in these changed circumstances, without further commenting on merits of the case, I am inclined to release the present applicant also on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-

**(Arvind Singh Chandel)**  
**Judge**