

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1447 of 2018**

Manoj Agrawal S/o Late Shri Om Prakash Agrawal Aged About 35 Years
R/o- Village Gabod, P.S. Sakara, District- Mahasamund, Chhattisgarh.,
District : Mahasamund, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station
Tumgaon, District- Mahasamund, Chhattisgarh., District : Mahasamund,
Chhattisgarh.

---- Respondent

For the Applicant : Shri R. Pradhan, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****19.04.2018**

Heard.

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.140 of 2017, registered at Police Station – Tumgaon, District – Mahasamund, 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 29.1.2018 and has been falsely implicated in this case. According to investigation, 12 kg of ganja has been seized from the house of the applicant and the house of this applicant is shared by other family members as well, hence, the possession cannot be solely attributed on the part of the applicant. 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.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident, the police personnel of police station Tumgaon searched and seized 8.2 kg of ganja (narcotic substance) from Sheikh Javed and one another. On interrogating them, they made a statement that they had purchased that contraband from the applicant. The house of the applicant was searched in his absence, 12 kg of ganja was recovered and seized. This applicant had been later on apprehended on 29.11.2017 and he is in jail since 29.1.2018.
6. After due consideration, I am of this view that the trial against the applicant is likely to take some time for its final disposal and the fact that the applicant has no criminal antecedents, this application deserves to be allowed.
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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge