

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3995 of 2018

- Devrat Markam @ Raja S/o S/o Rajendra Markam, Aged About 20 Years R/o Gayanagar Ward, Gali No. 4, Durg, Tahsil And District- Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Durg, District- Durg, Chhattisgarh.

---- Respondent

For Applicant : Shri Jitendra Gupta, Advocate.
For Respondent/State : Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

30/07/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 127/2018, registered at Police Station Durg, District Durg, for the offence punishable under Section 20 (B) of NDPS Act.
2. As per prosecution story on 09-02-2018 on the basis of information received from the informant, the present applicant along with co-accused namely Ashutosh Sharma and Shashank Das have been searched by the police after searching the above mentioned applicant and co-accused total 9.88 Gram of Brown Sugar contraband in 19 packets have been seized from the possession of the present applicant without having license for

sale.

3. Learned Counsel appearing on behalf of the Applicant submits that the applicant is innocent and he has been falsely implicated in the present case, seized brown sugar is not of commercial quantity. He further submits that the applicant is in custody since 09-02-2018 and the charge-sheet has already been filed and trial will likely to take some time, therefore, the applicant may released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary minutely.
6. Considering the above facts and circumstances of the case, particularly considering the fact that seized brown sugar is not of commercial quantity, charge-sheet has already been filed, the applicant is in custody since 09-02-2018 and trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 50,000/- with one surety for the like amount to the satisfaction of the trial court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-

(Arvind Singh Chandel)

Judge