

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4627 of 2018

Kudipudi Raju, S/o Late. Kanta Raju, aged about 51 years, R/o- House No. 05/169, Raghavendra Nagar, P.S. Bommuru, Distt. - Rajamendri (A.P.)

--- Applicant

Versus

State of Chhattisgarh, Through : Police Station- Kabir Nagar, Raipur, Distt. - Raipur (C.G.)

---- Respondent

For Applicant	:	Ms. Sharmila Singhai, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

25/07/2018

1. The applicant has preferred this first bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 106/2017 registered at Police Thana- Kabir Nagar, Raipur (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act.
2. As per prosecution story on 14/11/2017 on the basis of secret information received from the informant, the police authorities searched vehicle No. NL02 Q 0304 and seized 10quintals and 75 Kg of Ganja from the vehicle owner Bhupendra Singh and driver- Arjeet Singh. It is alleged that the present applicant is a transporter and there was his involvement in loading the said Ganja. Offence has been registered and the applicant has been arrested on 17/11/2017.
3. Learned counsel appearing on behalf of the applicant submits that the

applicant is innocent and has been falsely implicated in the present case. She further submits that the applicant did not play any active role in committing the said offence and the alleged Ganja was not seized from his possession. She further submits that the applicant is in custody since 17/11/2017 and other co-accused Peddi Raju has already been released on bail vide order dated 09/07/2018 in MCRC No. 2363/2018, therefore, the present applicant may also be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly considering that the applicant is in custody since 17/11/2017, charge-sheet has been filed and other co-accused Peddi Raju has already been released on bail vide order dated 09/07/2018 in MCRC No. 2363/2018, 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.4,00,000/- with two local solvent surities each of Rs. 2,00,000/- to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-
Judge
Arvind Singh Chandel