

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4879 of 2018

Sunil Jaiswal S/o Late Kunjbihari Jaiswal, Aged about 45 years, R/o Village-Bihiya Ward No. 5, P.O + P.S. + Tahsil- Bihiya, Distt. Bhojpur (Bihar)

--- Applicant

Versus

State of Chhattisgarh, Through Police Station, Kondagaon, Distt.- Kondagaron (C.G.)

---- Respondent

For Applicant	:	Mr. Jai Prakash Shukla, Advocate
For Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

17/07/2018

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. 259/2017 registered at Police Station- Kondagaon, Distt.- Kondagaron (C.G.) for the offence punishable under Section 20 (b) of the NDPS Act.
2. First bail application of the applicant was dismissed as withdrawn on 26/04/2018 in MCRC No. 1970/2018 with the liberty to file afresh application after two months.
3. As per prosecution story, on the basis of information received from the informant, vehicle Innova bearing registration No. MH04 Dr 4592 was searched and total 81.95 Kgs of Ganja was found which was seized from the joint possession of the present applicant along with other co-accused persons. The applicant was arrested on 24/11/2017.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant is in custody since 24/11/2017 and charge-sheet has been filed, therefore, 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 above facts and circumstances of the case, particularly considering that the applicant is in custody since 24/11/2107 and charge-sheet has already been filed, without further commenting on merit of the case, I am inclined to release the applicant 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. 200000/- with two local solvent sureties each of Rs. 100000/- to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-
Judge
Arvind Singh Chandel