

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5328 of 2018

- Bignesh Anant S/o Ramlal Anant Aged About 42 Years R/o Village Godam P. S. Sarangarh District Raigarh Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Sarsiwan, Baloda Bazar Chhattisgarh

---- Respondent

For Applicant	: Shri Vivek Kumar Shrivastava, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

20/08/2018

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. 169/2018, registered at Police Station Sarsiwan District Baloda Bazar (C.G.) for the offence punishable under Section 20(B) of the NDPS Act.
2. As per the prosecution story, on the basis of information received from the informant, Police authority searched the house of Nand Kumar Dubey who is the co-accused, present applicant Bignesh Anant and one other co-accused namely Kanhaiya Ratre have also been searched by the Police. 6 kgs of contraband ganja was seized from the possession of the present applicant, 3 kgs from the possession of co-accused Kanhaiya Ratre and 4 kgs from the possession of co-accused Nand Kumar Dubey have been seized. Offence has been registered and the applicant has been arrested on 19-06-2018.
3. Shri Vivek Kumar Dubey, learned counsel appearing on behalf of the

Applicant submits that applicant is innocent and he has been falsely implicated in the present case. He further submits that the other co-accused Kanhaiya Ratre has already been granted benefit of bail by this Court vide order dated 02-08-2018 passed in MCRC No. 4807/2018. He further submits that the applicant is in custody since 19-06-2018, charge-sheet has already been filed and trial will likely to take some time, therefore, applicant may be 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.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the other co-accused Kanhaiya Ratre has already been granted benefit of bail by this Court, the applicant is in custody since 19-06-2018 and charge-sheet has already been filed 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. 25,000/- 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