

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5494 of 2018

- Rakesh S/o Late Hukumchand Aged About 38 Years R/o- Village Noorpur Muglan Dhadoula Dadoula, Panipath Tahsil Bapuli, P.S. Chandani Bag, District- Panipath (Haryana)

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station Bodhghat, District- Bastar, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Kiran Jain, Advocate.
For Respondent/State	: Shri Bhaskar Pyashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

24/08/2018

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. 427/2017, registered at Police Station Bodhghat, District Bastar (C.G.) for the offence punishable under Section 20(B) of the NDPS Act, 1985.
2. As per the prosecution story, on the basis of information received from the informant on 25.12.2017, Police authority searched the applicant and 8 kgs. of ganja was seized from the possession of the present applicant and he has been arrested on 26.12.2017.
3. Ms. Kiran Jain, 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 applicant has no criminal antecedent, he is in custody since 26-12-2017, 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 applicant is in custody since 26-12-2017, 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 in the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge