

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5767 of 2018

Trilochan Yadav, S/o Shri Noror Yadav, Aged About 43 Years, By
Caste- Mahakul, R/o- Village- Gahnajhariya, Barkhoriya, P.S. And
Tahsil- Lailunga, Civil and Revenue District- Raigarh, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through- Station House Officer, Police uat
Post- Korba, Police Station- Bagbahar, District : Jashpur,
Chhattisgarh

---- Respondent

For Applicant	: Shri Sunil Sahu, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

06/09/2018

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. 86/2018, registered at Police Station Bagbahar, District-Jashpur (C.G.) for the offence punishable under Section 20 B of NDPS Act.
2. As per prosecution story on 15.07.2018, Police Officials of Police outpost – Kotba, Police Station – Bagbahar has received a secret information from informant with the averment that some persons are transporting contraband article Ganja in their vehicle bearing Registration No. OR-15-P-3366 from Orissa to Raigarh. On the basis of said information received, the vehicle was searched by

the Police party and after seeing the police party the persons sitting in the vehicle were run away from the spot. Police party caught hold one Devcharan and seized 16.500 Kilograms of Ganja from the said vehicle and also recorded the memorandum statement of the Devcharan in which he named other persons who were with him at the time of incident. The allegation against the present applicant is that he is the registered owner of the said vehicle. Offence has been registered and the applicant was arrested on 18.07.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case because he is the registered owner of the said vehicle. He further submits that there is no previous history of the applicant and 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.
6. Considering the above facts and circumstances of the case, particularly considering the fact that charge-sheet has already been filed, the applicant is in custody since 18.07.2018 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. 20,000/- 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.

(Arvind Singh Chandel)
Judge