

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6299 of 2018

- Ravi Nadar S/o Lategana Sigamani Nadar, aged about 49 Years, R/o Tachakodu, Police Station Kolam Kodu, District Kanyakumari, Tamil Nadu.

----Applicant

Versus

- State of Chhattisgarh Through Station House Officer Khamtarai, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Siddharth Rathod, Advocate
For Respondent/State	:	Smt. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

03/10/2018

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. 109/2018 registered at Police Station-Khamtarai, District - Raipur (C.G.) for the offence punishable under Section 29 of NDPS Act.
2. As per prosecution story, on 10/02/2018, an information has been received from an informant that one vehicle Ashok Leyland bearing registration No. OD 30-2407, going towards Uttar Pradesh from Andhra Pradesh carrying illicit cannabis (Ganja). On the basis of said information police party stopped the said vehicle which was driven by co-accused persons namely V.V.R. Shrinivasrao and N. Shrinivasrao, wherein total 11 quintal and 14 Kgs of illicit cannabis was found and has been seized from the joint possession of the above mentioned co-

accused persons. Allegedly, present applicant was also involved in this matter, the said vehicle was driven by the above mentioned co-accused persons under the instructions of the present applicant. The present applicant has been arrested on 15-02-2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. There is nothing on record on the basis of which any offence can be made out against the present applicant. Neither the said illicit cannabis has been seized from his possession nor he is the owner of the said vehicle. Present applicant is in custody since 15.02.2018, charge-sheet has been filed and trial will take some. Therefore, he may 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 appearing for the parties and perused the case diary with due care.
6. Considering the entire facts and circumstances of the case, particularly considering the fact that the illicit cannabis has not been seized from the possession of the present applicant nor he is the owner of the said vehicle, he is custody since 15.02.2018, charge-sheet has already been filed and trial will likely to take some time, therefore, without further commenting on merits of the case, I am inclined to release him 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. 10,00,000/- with two local solvent sureties each of Rs. 5,00,000/- to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge

Prakash