

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6244 of 2018

- Kurtivas Batra S/o Shri Harihar Batra Aged About 33 Years R/o- Colony Sahi, Dhamonahadi, Koraput, District- Koraput, Odisha

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- City Kotwali Jagdalpur, District- Bastar, Chhattisgarh.

---- Respondent

For Applicant	: Shri Ishan Verma, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

26/11/2018

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. 317/2017, registered at Police Station City Kotwali, District Jagdalpur (C.G.) for the offence punishable under Section 20 (B) (2-C) of the NDPS Act, 1985.
2. As per prosecution story, on 05.08.2017, on the basis of information received from an informant, one vehicle bearing Registration No. CG 04 DU 4044 has been searched by the investigating officer of the case. Allegedly, 21.450 Kgs. of Ganja has been found from the said vehicle which has been seized from the possession of the present applicant and he has been arrested on the same day.
3. Learned counsel appearing on behalf of the Applicant submits that applicant is innocent and has been falsely implicated in the present case, mandatory provisions of the NDPS Act have not been complied with. He further submits that the Applicant is in custody since 05.08.2017, charge-sheet has already filed and trial will take some

time, therefore, he 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 05.08.2017 and trial will likely to take some time, 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. 2,00,000/- with two local solvent sureties each of Rs. 1,00,000/- to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge