

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6460 of 2018

- Sunil Thakur S/o Vishram Thakur Aged About 19 Years Caste Gond, R/o Village Madanpur, Police Station Tendukheda, District Narsinghpur, M. P., District : Narsimhapur, Madhya Pradesh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Makdi, District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Respondent

For Applicant	: Shri Chandrashekhar Kaushik, Advocate
For Respondent/State	: Shri Anil Pillai, Dy.AG

Hon'ble Smt. Justice Rajani Dubey

Order On Board

27/09/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.5/2017 registered at police station Makdi District Kondagaon (CG) for the offence punishable under Section 20-B of the NDPS Act.

As per prosecution case, on receiving secret information, the police intercepted and recovered the said contraband (in a bag weighing 2.800 and 2.200 gms. Each total 5 kgs.) from the applicant and co-accused who were waiting at the bus stand for Kondagaon.

Counsel for the applicant submits that the contraband seized from them is less than commercial quantity and the applicant is in jail since 04.02.17. He submits that no case is made out against the applicant on the

basis of material placed before the court by the prosecution.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to enlarge him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 20,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge