

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6401 of 2018

- Abdul Hameed Hussain S/o Mr. Lukman Hussain Aged About 50 Years R/o- Laxmipur, Ward No. 12, Near Masjid, P.S. Sikandar, District- Baliya, U.P.

---- Applicant

Versus

- State Of Chhattisgarh Through- The Police Station Kondagaon, District- Kondagaon, Chhattisgarh.

---- Respondent

For Applicant	: Shri Raza Ali, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

04/10/2018

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. 259/2017, registered at Police Station Kondagaon (C.G.) for the offence punishable under Section 20(B) of the NDPS Act.
2. As per the prosecution story, on the basis of information received from the informant, vehicle Innova bearing registration No. MH 04 DR 4592 was searched and total 81.95 kgs. of contraband ganja was found and seized from the joint possession of the present applicant and other co-accused persons. Applicant has been arrested on 23.11.2017.
3. 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 co-accused Sunil Jailwal has already granted benefit of bail by this Court vide order dated 17.07.2018 passed in M.Cr.C. No. 4879/2018, present applicant is in custody since 23.11.2017, charge-sheet has already been 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 co-accused Sunil Jailwal has already granted benefit of bail by this Court, present applicant is in custody since 23-11-2017, charge-sheet has already been filed 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. 20,000/- with one local solvent surety for 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