

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 7551 of 2018

- Pamu Susi Vijay Paramjyothi Pamu Abraham Aged About 55 Years R/o Village Rajmudaru Lalacharu Police Station Bomur District East Godawari Andhra Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Khamtarai Raipur Civil And Revenue District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Shri Sunil Verma, Advocate.
For Respondent/State	: Shri Sangharsh Pandey, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

29/11/2018

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. 109/2018, registered at Police Station – Khamtarai, Civil and Revenue District Raipur (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act.
2. As per the prosecution story, on 10.02.2018, investigation officer of the case received information from the informant that one vehicle Ashok Leyland bearing Registration No. OD 30-2407, going towards Uttar Pradesh from Andhra Pradesh carrying illicit cannabis. On the basis of said information, said vehicle has been searched by the police officials, on being searched, total 11 quintal and 14 kgs. of cannabis has been found in the said vehicle which has been seized from the joint possession of co-accused persons namely VVR Shrinivas Rao and N. Shrinivas Rao. Allegedly, present applicant was also involved in the said crime. On the basis of above, offence has been registered and the present applicant is in custody since 11.02.2018.

3. Learned Counsel appearing on behalf of the applicant submits that the Applicant is innocent and has been falsely implicated in the case, there is no direct evidence against the present applicant. He further submits that contraband ganja has not been seized from the possession of the present applicant, on the same facts co-accused Ravi Nadar has already granted benefit of bail by this Court vide order dated 03.10.2018 passed in M.Cr.C. no. 6299/2018, the applicant is in custody since 11.02.2018 and trial will take some time. 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 for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that contraband ganja has not been seized from the possession of the present applicant, on the same facts co-accused Ravi Nadar has already granted benefit of bail by this Court, the applicant is in custody since 11.02.2018 and trial is 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