

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7291 of 2018**

Saket Gupta @ Chanky S/o Shri Girish Gupta, aged about 23 years, R/o Village- Parsa, Police Station Ambikapur, Tahsil Ambikapur, District Sarguja (C.G.).

--- Applicant**Versus**

State of Chhattisgarh, Through:- Aarakshi Kendra Ambikapur, District Sarguja (C.G.).

---- Respondent

For Applicant	:	Mr. Arvind Shrivastava, Advocate
For Respondent	:	Mr. Vivek Singhal, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**12/11/2018**

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. 421/2018 registered at Police Station Aarakshi Kendra Ambikapur, District Sarguja (C.G.) for the offence punishable under Section 20 (b) of the NDPS Act.
2. As per prosecution story, on 02/09/2018 on the basis of information, motor-cycle bearing registration No. CG15 CM 6598 was searched which was possessed by the present applicant. On search, the applicant was found in possession of 4.320 Kg contraband (Ganja) which was seized from his possession. The applicant has been arrested on 02/09/2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated. He further submits that the applicant took the lift from the person who was riding the motor-cycle. On seeing the police party, the rider fled away from the spot and the police party arrested the applicant. The applicant is in custody since 02/09/2018 and there is no criminal antecedent against the present applicant, 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 both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the applicant is in custody since 02/09/2018 and there is no known criminal antecedent against the present applicant, I am inclined to release the applicant 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 surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge