

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 8398 of 2018

- Sudhanshu Mohanti S/o Shri Kishorechand Aged About 45 Years R/o Dhutrapara Ward No.7, Sambalpur, Civil And Revenue District - Sambalpur, Orissa.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Grp Raigarh, District - Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Shri Sunil Sahu, Advocate.
For Respondent/State	: Shri Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

13/11/2018

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. 37/2018, registered at Police Station – GRP Raigarh District- Raigarh (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act.
2. As per the prosecution story, on 25.08.2018 on the basis of information received from an informant, police personnels of GRP Department searched the Applicant and total 11 kgs. of contraband cannabis has been seized from the possession of the applicant and he has been arrested on the same day.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case, mandatory provisions of the NDPS Act have not been complied with. He further submits that the Applicant is in custody since 25.08.2018, 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 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 the Applicant is in custody since 25.08.2018, charge-sheet has already filed and trial will take some time, without further commenting on merits of the case, 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. 25,000/- with one solvent 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