

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 8440 of 2018

- Gangaram Sahu S/o Dularu Ram Sahu Aged About 45 Years R/o Village Lafandi Rajim, Post Office And Police Station Rajim District Gariyaband Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Rajim District Gariyaband Chhattisgarh

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate.
For Respondent/State	: Shri Sangharsh Pandey, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

15/11/2018

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. 268/2018, registered at Police Station Rajim, District Gariyaband (C.G.) for the offence punishable under Section 20 (b) of the NDPS Act.
2. As per prosecution story, on 26.09.2018, during checking of vehicles, motorcycle bearing registration No. CG 04 DN 8707 has been stopped by the police officials which was driven by the present applicant and seized total 4 Kgs. of contraband Ganja from his possession and he has been arrested on the same day.
3. Learned counsel appearing on behalf of the Applicant submits that applicant is innocent and has been falsely implicated in the present case, mandatory provision of the NDPS Act have not been complied with. He further submits that the applicant has no criminal antecedent, he is in custody since 26.09.2018 and trial will take some more 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 applicant is in custody since 26.09.2018 and trial will likely to take some more 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 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