

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 81 of 2019**

- Vikram Bisi S/o Tularam Bisi Aged About 35 Years R/o Village Upavira, Police Station Devbhog, District Gariyaband Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Devbhog, District Gariyaband, Chhattisgarh.

---- Respondent

For Applicant : Shri B.L. Sahu, Advocate.
For Respondent/State : Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**22/01/2019**

1. The Applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 170/2018, registered at Police Station - Devbhog, District – Gariyaband, Chhattisgarh, for the offence punishable under Sections 21(B) of NDPS Act.
2. The first bail application has been dismissed earlier for want of prosecution vide order dated 14.12.2018 passed in MCRC No. 9266 of 2018.
3. As per the prosecution story, on 26.10.2018, on the basis of information received from an informant, police personnel searched the house of the Applicant and seized total 3 kg of cannabis (ganja) from his possession. On the basis of the said, offence has been registered against the present Applicant and he has been taken into custody on 26.10.2018.
4. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the case. He further submits that charge-sheet has been filed. He also states that the Applicant has no criminal antecedents, he is in custody since 26.10.2018 and trial will take some time. Therefore, he may be released on bail.

5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary.
7. 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 26.10.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicant shall be released on bail on furnishing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge