

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 153 of 2019

- Brajesh Choubey S/o Jagdish Prasad Choubey Aged About 45 Years
R/o Sharma Ward Kachhiyani, Deviji Ke Pass Khurai, Thana- Khurai,
District Sagar, Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station G R P Bilaspur, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Shri Vikash Pandey, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

23/01/2019

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. 05/2018, registered at Police Station G.R.P., Bilaspur (C.G.) for the offence punishable under Section 20(B) of the NDPS Act, 1985.
2. As per the prosecution story, on 09.01.2018, on the basis of information received from an informant, investigating officer of the case searched the applicant and total 4 kgs. of contraband ganja has been seized from his possession and he has been arrested on 09.01.2018.
3. Learned counsel appearing on behalf of the Applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant has no criminal antecedent of same nature, he is in custody since 09-01-2018, charge-sheet has already been filed and trial will take some time. Therefore, the

applicant 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 has no criminal antecedent of same nature, he is in custody since 09-01-2018, charge-sheet has already been filed and trial will likely to 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. 20,000/- 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