

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 957 of 2019**

Sant Agariya S/o Ratan Ram Agariya Aged About 29 Years R/o Near Vishwakarma Temple, Sinchai Colony, Police Station Ambikapur, District - Surguja Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Ambikapur, District - Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sunil Tripathi, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**20/02/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.658/2018 registered at Police Station Ambikapur, District Surguja (C.G.) for the offence punishable under Section 21 (B) of NDPS Act.
3. Case of the prosecution, in brief is that on 08/12/2018 Sub Inspector Chitranjan Sahu posted at Police Station, Ambikapur seized 5.58 gram brown sugar from the possession of the applicant.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that three other criminal case have been registered against the applicant out of which two under IPC and one under CrPC.
6. Alleged seized brown sugar is more than small quantity but less than commercial quantity.
7. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in such type of crime in future, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge