

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1506 of 2019

- Sonu Kumar S/o Jaishree Sah @ Pradeep Kumar Aged About 19 Years R/o Ghadar Chatmor, Police Station Aurangabad District Aurangabad (Bihar).

---- Applicant

Versus

- State of Chhattisgarh Through The Police Station Nagarnar District Bastar Chhattisgarh.

---- Respondent

For Applicant	: Mr. Praveen Kumar Tulsyan, Advocate.
For Respondent/State	: Mr. KK Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/03/2019

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. 144/2017, registered at Police Station Nagarnar, District Bastar (C.G.) for the offence punishable under Section 20(B) of the NDPS Act, 1985.
2. First bail was dismissed as withdrawn with liberty to file a fresh after six months vide order dated 27.08.2018 passed in MCRC No. 5547/2018.
3. As per prosecution story, on 19.06.2017, on the basis of information received from an informant, investigating officer of the case searched the vehicle bearing Registration No. CG 04 0041 which was driven by the applicant, wherein, total 120 Kgs. of contraband *ganja* has been seized from his possession and he has been arrested on 19.06.2017 itself.
4. 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 mandatory provisions of the NDPS act have not been complied with, the applicant has no criminal antecedent, he is in custody since 19-06-2017 and trial is likely to take some time. Therefore, the applicant may be released on bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for both the parties.
7. 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, he is in custody since 19-06-2017 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.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 10,00,000/- with two local solvent sureties each of Rs. 5,00,000/- to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge