

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2232 of 2019**

- Ray Singh Sodhi, S/o Late- Singhray Sodhi, aged about 65 years, Caste Gond, R/o Village Naumunjmeta, Police Station Narayanpur, District Narayanpur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, P.S. Narayanpur (C.G.).

---- Respondent

For Applicant	:	Shri Aman Upadhyay, Advocate.
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 163/2018 registered at Police Station - Narayanpur (C.G.) for the offence punishable under Section 20-B of Narcotic Drugs & Psychotropic Substance Act.
- The prosecution story, in brief, is that on 28.10.2018, on the basis of information received from an informant, Police Personnel approached to the farm of the applicant/accused and after searching the place, the applicant was arrested for illegally cultivating cannabis (Ganja) and total 105.550 Kg. Ganja in 3 white cloth bags was seized from the possession of applicant without any valid licence.
- Learned counsel for the applicant submits that the

applicant is innocent and has been falsely implicated in the case. He further submits that the Najari Naksha (Annexure A/2) was prepared by Patwari which shows that the cannabis plants were not recovered from the possession of present applicant. He next submits that in similarly situated case one accused namely Budhram Sodhi has already been granted bail by this Court on 16.09.2019 in MCRC No. 2229/2019. He is in jail since 29.10.2018, there is no previous antecedent against him, therefore, the present appellant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge