

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2239 of 2019**

Raj Kumar Chandra S/o Gangaram Chandra, aged about 45 years R/o Village Barra Bhathapara, Police Station Jaijaipur, District Janjgir-Champa (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through District Magistrate, District Janjgir-Champa (C.G.).

---- Respondent

For Applicant	:	Mr. Dharmesh Shrivastava, Advocate
For Respondent	:	Ms. Smita Ghai, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

25/04/2019

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 40/2019 registered at Police Station Jaijaipur, District Janjgir-Champa (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act.
2. As per prosecution story, on the basis of information received from the informant, the Investigating Officer of the case searched and seized total 1.2 Kg of contraband (Ganja) from the illegal possession of the Applicant. The Applicant has been arrested on 11/03/2019.
3. Counsel for 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. The Applicant is in custody since 11/03/2019, charge-sheet has not yet

been filed, therefore, the Applicant may be released on bail.

4. Counsel appearing on behalf of the State also opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering quantity of contraband and further considering that the Applicant is in custody since 11/03/2019 and trial will likely to take some time, without further commenting on merit 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 his executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge