

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2523 of 2019**

- Ravi Kumar S/o Dinesh Kumar Prasad Aged About 23 Years R/o Village-Khairatali, P.S.- Parsabazar, District- Patna, Bihar.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer Police Station-Sihawa, District- Dhamtari, Chhattisgarh.

---- Respondent

For Applicant : Ms. Sharmila Singhai, Advocate.
For Respondent/State : Shri Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**23/09/2019**

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. 37/2018, registered at Police Station – Sihawa, District-Dhamtari, (C.G.) for the offence punishable under Sections 420 of I.P.C., Section 20(B)(ii)(C) of N.D.P.S. Act.
2. First bail application of the Applicant was earlier dismissed as withdrawn with liberty to file afresh after four months vide order dated 29/11/2018 passed in MCRC No. 7171/2018.
3. As per the prosecution story, on 27.03.2018 on the basis of a secret information received from an informant, police officials searched one vehicle bearing registration number JH 10 BG 3333. On being searched, total 142 kg of contraband '*ganja*' has been seized from the joint possession of present Applicant and three co-accused persons. On the basis of the said, offence has been registered. Present Applicant has been arrested on 27.03.2018.
4. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the case. She further states that mandatory provisions of the Act has not been complied with. Applicant is in custody since 27.03.2018 i.e. for more than one and a half year, charge-sheet has been filed and trial is likely to take some time. Therefore, he may be released on bail.

5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 27.03.2018, charge-sheet has been filed and trial is likely to take some time, without further commenting on other merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 4,00,000/- with two local sureties each of Rs. 2,00,000/- to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge