

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2659 of 2019

Suraj Pradhani S/o Purnachandra Pradhani, Aged About 27 Years, R/o Higaiput, Post Banmaliput, Police Station Nandpur, District Koraput, (Odisha).

---- Applicant

Versus

State of Chhattisgarh Through The Police Station Keshkal District Kondagaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pravin Kumar Tulsyan, Advocate.
For Respondent/State : Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10/05/2019

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. 146/2017, registered at Police Station– Keshkal, District- Kondagaon (C.G.) for the offence punishable under Section 20-B of NDPS Act, 1985.
2. First bail application was withdrawn with liberty to move application for bail before the Trial Court vide order dated 26.03.2019 passed in MCRC No.1485/2019 also vide order dated 03.04.2019 bail application of the Applicant was also dismissed by the Trial Court.
3. As per prosecution story, on 16.11.2017, on the basis of information received from an informant, police officials stopped the vehicle bearing registration No. MOR-10E-1119, at that time present applicant and other co-accused person namely Shivendra were found inside the vehicle. On being searched, total 71.250 Kg of contraband 'Ganja' has been seized from the possession of present Applicant. On the basis of

the said, offence has been registered. The Applicant has been taken into custody on 16.11.2017.

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 also submits that seizure witnesses have already been examined before the Trial Court. Applicant has no previous antecedents. He further submits that the Applicant is in custody since 16.11.2017 i.e. for more than 1½ years 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 the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, particularly considering the fact that Applicant has no previous antecedents, he is in custody since 16.11.2017 and trial is 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 Applicant shall be released on bail on executing a personal bond for a sum of Rs. 50,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge