

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2664 of 2019**

- Stephen Cherian S/o George Cherian Aged About 45 Years R/o Dalli Rajhara, Police Station- Dalli Rajhara, District- Balod, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station- Nagarnar, District- Bastar, Jagdalpur, Chhattisgarh

----Non Applicant

For the Applicant : Ms. Ankita Shriwas, Advocate

For Non Applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****01.05.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.50/2019 registered at Police Station- Nagarnar, District- Bastar (Jagdalpur) (C.G.) for the offence punishable under Section 20 (b) of N.D.P.S. Act.
3. Case of the prosecution, in brief is that on 06.03.2019 about 16:10 hours, at village Chokawada, ASI Sughran Netam posted at Police Station- Nagarnar seized 10 kg cannabis from the joint possession of the applicant and co-accused Prakash Kumar Nishad.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the bail application is allowed, it is directed that if applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs.25,000/- to the satisfaction of the concerned trial Court, he shall be released on bail.
7. Certified copy as per rules.

Sd/-**(Sharad Kumar Gupta)**
Judge

Parul