

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3074 of 2019**

- Golok Vishwas S/o Late Upan Vishwas Aged About 31 Years R/o Padamgiri, Mv - 84, Police Station Malkangiri, District Malkangiri, (Odisha).

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Darbha, District Bastar, Chhattisgarh.

---- Respondent

For Applicant	: Shri Mukesh Shrivastava, Advocate.
For Respondent/State	: Shri Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**14/05/2019**

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. 18/2018, registered at Police Station - Darbha, District – Bastar, Chhattisgarh, for the offence punishable under Sections 20(B) of NDPS Act.
2. First bail application of the Applicant was dismissed for want of prosecution vide order dated 05/04/2019 passed in MCRC No. 1957/2019.
3. As per the prosecution story, on 22.03.2018 on the basis of information received from an informant, police personnel raided and searched one vehicle bearing registration No. CG-L-0802 in which co-accused Babla Khora and Vishwajeet were found sitting inside the said vehicle. On being searched, total 7.22 quintal contraband cannabis has been seized from their possession. Allegation against the present Applicant is that he was following and keeping watch on the said truck and thus, helping in transportation of contraband

cannabis. On the basis of the said, offence has been registered. Applicant has been taken into custody on 04.07.2018.

4. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that there is no evidence available on record against the Applicant. He further submits that Applicant is not the owner of the seized vehicle. Applicant is in custody since 04.07.2018 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 Applicant is in custody since 04.07.2018 and trial is likely to take some time, without further commenting on 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. 1,00,000/- with two local sureties each of Rs. 50,000/- to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge