

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3328 of 2019**

- Uchit Narayan Yadav S/o Shri Premal Yadav Aged About 45 Years
Caste Ahir, Occupation Agriculturist And Labour, R/o Village
Pandariyani Tagar Darha, Police Station And Tahsil Farsabahal,
District Jashpur, Chhattisgarh., (In Jail)

---- Applicant

Versus

- State Of Chhattisgarh through : Station House Officer, Police Station
Farsabahal, District Jashpur Chhattisgarh.,

---- Respondent

For Applicant	:Shri Raj Bahadur Singh, Advocate.
For Respondent/State	:Shri Arun Kumar Shukla, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****20.05.2019**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.29/2019 registered at Police Station Farsabahal, District Jashpur, Chhattisgarh for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, the Act of 1985).

(2) Case of the prosecution, in brief, is that 2.105 kilograms *ganja* was seized from the possession of the applicant.

(3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question and the contraband article so recovered was

lightly more than the small quantity. He further submits that the applicant is in jail since 04.04.2019 and the charge sheet has not yet been filed. Lastly, he submits that as the trial is likely to take some time for its final disposal, therefore, he may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary.

(6) Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that the contraband article, i.e., *ganja* so recovered was lightly more than the small quantity and that the applicant is in jail since 04.04.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(7) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Vacation Judge