

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3767 of 2019**

- Riyaz Khan S/o Safik Khan, Aged About 22 Years R/o Nehru Nagar, Police Station Kotwali, Raipur, District Raipur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station City Kotwali , Raipur District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Laxmeen Kashyap, Advocate.
For Respondent/State	: Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**17/06/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 40/2018, registered at Police Station – City Kotwali, Raipur, District – Raipur, Chhattisgarh, for the offence punishable under Sections 20(ii)(B) of NDPS Act.
2. As per the prosecution story, on 07.03.2018, on the basis of information received from an informant, police personnel searched the Applicant and seized total 6.500 kg of contraband 'ganja' from his possession. On the basis of the said, offence has been registered and Applicant has been taken into custody on 07.03.2018.
3. 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 mandatory provisions of the Act has not been complied with. He also states that Applicant has no previous criminal antecedents. Applicant is in custody since 07.03.2018, charge-sheet has been filed and trial will take some time. Therefore, he may be

released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. 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 07.03.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge