

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3812 of 2019

- Sonchand Kurrey S/o Late Sukhram Kurrey Aged About 32 Years
R/o Bitkuli, P.S. Bilha, District- Bilaspur, Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Bilha, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Purnendra Khichariya, Advocate.
For Respondent/State : Mrs. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

19/06/2019

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. 94/2019, registered at Police Station Bilha, District Bilaspur (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act.
2. As per prosecution story, on 12.04.2019, on the basis of information received from an informant, investigating officer of the case searched house of the applicant and seized total 1.850 Kg. of contraband *Ganja* from his possession and he has been taken in custody on 12.04.2019 itself.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the case. Mandatory provisions of the NDPS Act have not been complied with. Quantity of sized contraband is between

commercial and small. He further submits that the applicant has no criminal antecedent, he is in custody since 12-04-2019, charge-sheet has already been filed and trial is likely to take some time. Therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution and further considering the fact that the applicant has no criminal antecedent, he is in custody since 12-04-2019, charge-sheet has already been filed 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.
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. 25,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge