

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3755 of 2019**

Kedarnath Yadav S/o Shri Tikanuram Yadav Aged About 30 Years
Caste- Mahakul, Occupation- Agriculturist, R/o Village- Khutsera, Police
Station- Tymba, Civil And Revenue District- Jashpur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Out Post-
Kotba, Police Station- Bagbahar, District- Jashpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocate.
For Respondent/State : Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/07/2019

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. 86/2018, registered at Out-post Kotba, Police Station – Bagbahar, District- Jashpur (C.G.) for the offence punishable under Section 20-B of NDPS Act.
2. In this case there are total 05 accused persons. As per the prosecution story, on 15.07.2018, on the basis of information received from informant, police officials searched vehicle bearing registration No. OR 15 P 3366 wherein total 16.500 Kgs of contraband Ganja was seized from the possession of co-accused Devcharan. Allegedly, present Applicant along with other co-accused was involved in crime-in-question. Further, it is alleged that the present Applicant fled away from the spot. On the basis of said, offence has been registered. The Applicant has been arrested on 08.05.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the case. He also submits that no seizure have been made from Applicant and prima facie no case can be made out against the present Applicant. Main accused namely Devcharan has already been granted bail u/s 167 (2) of Cr.P.C from the Trial Court and another co-accused namely Trilochan Yadav was also granted bail by this Court vide order dated 06.09.2018 passed in MCRC No.5767/2018. He further submits that the Applicant is in custody since 08.05.2019 and trial is likely to 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, particularly considering that co-accused person have been already granted bail and the fact that the the applicant is in custody since 08.05.2019 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. 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