

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3942 of 2019**

- Purandar Manjhi, S/o Bhaga Manji, aged about 34 years, R/o Village Budidar, Thana – Junagad, District- Kalahandi, (Orissa).

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Basna, District – Mahasamund, (C.G.)

---- Respondent

For Applicant : Shri Vikas Pradhan, Advocate.
For Respondent/State : Shri Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**17/07/2019**

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. 69/2018, registered at Police Station – Basna, District – Mahasamund, Chhattisgarh, for the offence punishable under Sections 20(B) II (C) of NDPS Act.
2. First bail application of the Applicant was earlier dismissed as withdrawn with liberty to file a fresh application after examination of seizure witnesses vide order dated 07.09.2018 passed in MCRC No. 5794 of 2018.
3. As per the prosecution story, on 12.02.2018, on the basis of information received from an informant, police personnel searched one vehicle bearing registration no. CG 04 HB 0762 which was driven by present Applicant. On being searched total 36.500 kg of contraband 'ganja' has been seized from his possession. On the basis of the said, offence has been registered and Applicant has been taken into custody on 12.02.2018.

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 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 12.02.2018 and trial will 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 with due care.
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 12.02.2018 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. 4,00,000/- with two local solvent sureties each of Rs. 2,00,000/- to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge