

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3997 of 2019**

- Gopi Sudarshan S/o Sadanandam, aged about 48 years, R/o Near Bus Stand, Mahbubabad, Out Post & P.S. Tongpal, District Sukma (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, P.S. Tongpal, District Sukma (C.G.).

---- Respondent

For Applicant	:	Shri Awadh Tripathi, Advocate.
For Respondent	:	Shri Anurag Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 03/2019 registered at Police Station - Tongpal, District Sukma (C.G.) for the offence punishable under Section 20-B of Narcotic Drugs & Psychotropic Substance Act.
- The prosecution story, in brief, is that on 12.01.2019, on the basis of information received from an informant, Police Personnel searched and seized 64.760 kg. contraband article cannabis (Ganja) from the possession of present applicant and other co-accused. They were transporting the Cannabis (Ganja) with the Silver Colour Tata sumo Gold vehicle bearing No. CG- 04 HA- 09220. Thereafter, the present applicant was arrested.
- Learned counsel for the applicant submits that the

applicant is innocent and has been falsely implicated in the case. He further submits that one of the seizure witness has not supported the seizure memorandum and turned hostile. He is in jail since 12.01.2019, there is no previous antecedent against him, therefore, the present appellant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant and further considering the fact that one of the seizure witness has turned hostile 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.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge