

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4148 of 2019

- Toofaan Sahu S/o Jogendra Sahu Aged About 24 Years R/o Devridih, Near Sonu Pan Thela, Police Station Torwa, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant : Shri Amit Singh, Advocate.
For Respondent/State : Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/09/2019

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. 74/2019, registered at Police Station – Torwa, District - Bilaspur, (C.G.) for the offence punishable under Section 20 (b) (ii-B) of NDPS Act.
2. As per the prosecution story, on 11.03.2019, on the basis of information received from an informant, police personnel searched and seized total 8.300 kg of contraband 'ganja' from the possession of the present Applicant. On the basis of the said, offence has registered. Applicant has been taken into custody on 11.03.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that Applicant is in custody since 11.03.2019, charge-sheet has been filed 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 and submits that Applicant has one previous antecedent of same nature of crime. Thus, he should not be granted bail.

5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the quantity of the seized contraband, Applicant is in custody since 11.03.2019, charge-sheet has been filed and trial is likely to take some time, without further commenting on other 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 concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge