

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5184 of 2019**

- Moh. Shafique @ Raja Khan S/o Ahmed Khan Aged About 35 Years, R/o- Shobhanagar Patera, Police Station- Patera, District - Damoh, Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station- Arjuni, District-Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Navin Shukla, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 105/2019 registered at Police Station Arjuni, District-Dhamtari (C.G.) for the offence punishable under Sections 20(B) of Narcotic Drugs Psychotropic Substance Act and 420 of IPC.
2. The prosecution story, in brief is that, on 10.05.2019 at 17:00 O'clock present applicant along with the other co-accused persons were found in possession of illegal psychotropic substances inside the vehicle Tata Sumo bearing registration No. CG-04-HA-3332, containing three packets of contraband article cannabis (Ganja) weighing around 2.100 kg each packets and one bag of 18.700 kg, total 25 kg of psychotropic substances were found from the vehicle. The present applicant and other co-accused persons tried to mislead by changing the registration number of vehicle, Tata Sumo, from DL-01-YD-3166 to CG-04-

HA-3332. Based on this, offence has been registered. Present applicant has been taken into custody on 10.05.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant has no previous antecedent. The applicant is in jail since 10.05.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 10.05.2019 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.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**