

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C. No.5257 of 2019

Mahesh Yadav S/o Shri Sevakram Yadav Aged About 41 Years R/o Lohjhar Police Station Chura, Gariyabandh District - Gariyabandh Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Police Station Chura, District Gariyabandh Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Pragalbha Sharma, Advocate.
For State	:	Mr. Anuragh Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey
Order on Board

24/10/2019

- 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.102/2019 registered at Police Station – Chura, District. Gariyabandh, (C.G.) for the offence punishable under Sections 20 (b) (ii) (c) of Narcotic Drugs & Psychotropic Substance Act.
- The prosecution story, in brief, is that Police Personnel searched and seized total 7.500 Kg. contraband article cannabis (Ganja) from the possession of present applicant. Thereafter, the present applicant has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that as the applicant is in custody since 04.06.2019 and the trial is likely to take some time for its final disposal, Therefore, he 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, and further considering the detention period of the applicant, 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. It is directed that on furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed, the applicant shall be released on bail, subject to following conditions:
 - That, the applicant shall furnish a specific, undertaking that while on bail, he will not commit any offence especially relating to Ganja, otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.
 - That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required and the accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.
 - That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

Sd/-

(Rajani Dubey)

Judge

Jamal