

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5488 of 2019

- Akash Bagh S/o Opin Bagh Aged About 22 Years R/o Ward No. 4, Odiapara, Islaam Nagar, Supela Bhilai, Thana Supela, District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Bagbahara, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant	: Shri Deepak Jain, Advocate
For Respondent/State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

22/10/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 142/2019 registered at police station Bagbahara, District Mahasamund (CG) for the offence punishable under Section 20(B) of the Narcotics Drugs and Psychotropic Substances Act.

As per case of the prosecution, at the time of vehicle checking under the Motor Vehicles Act, near the check post the applicant was found carrying 6 kgs. of *ganja* which was seized by the police.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He submits that the ingredients of

alleged offence is not attracted against the applicants and the trial may take some time for its disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 50,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge