

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.5619 of 2019**

- Ayta (Aaita) Raju Nagesh S/o Vekenna (I Vekenna) Case Rajak, aged about 27 years, R/o 3,4,760/D Barkatpura, P.S. Kanchiguda District Himayatnagar Hyderabad (Telangana)

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station Errabore, District Sukuma, (C.G.).

---- Respondent

For Applicant	:	Shri Rajesh Jain, Advocate.
For Respondent	:	Shri Anurag Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/11/2019**

- 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. 05/2018 registered at Police Station - Errabore District Sukuma (C.G.) for the offence punishable under Section 20-B of Narcotic Drugs & Psychotropic Substance Act.
- The prosecution story, in brief, is that on 03.08.2018 at about 04.05 PM, on the basis of information received from an informant, investigating officer searched and seized 27 packets of contraband article cannabis (Ganja) (total 52 Kg.) from the possession of applicant and other co-accused who were transporting the same contraband article in the vehicle Bolero bearing registration No. TS 04 ES 7485. 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 the seizure witnesses namely Jogeshwar and Yogendra Singh have not supported the case of prosecution. The applicant is jail since 03.08.2018, 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 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. 1,00,000/- 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 him by the said Court.

Sd/-
(Rajani Dubey)
Judge