

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5768 of 2019

- Devcharan Vaishnav S/o Late Krishna Vaishnav Aged About 40 Years R/o Village Kochara, Police Station Belgahna, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

 For Applicant : Shri S.K.Mishra, Advocate
 For Respondent/State : Shri Wasim Miyan, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

24.10.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.315/2019, registered at Police Station Kota, District Bilaspur(CG) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act.
3. As per the case of prosecution, on secret information Police has seized 1.700 kg Ganja from the possession of the applicant which he was selling it in his Betel Shop.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 4.7.2019 and trial may take some time

for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the quantity of Ganja seized from the possession of the applicant and he is in jail since 4.7.2019, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicants shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed till the disposal of the trial subject to following conditions:
10. That, the applicant shall furnish a specific, undertaking that while on bail, he will not commit any other offence especially relating to NDPS Act, otherwise bail granted to him shall be liable to be cancelled and he shall co-operate the prosecution during trial.
11. That, the accused/applicant shall make themselves 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.

12. That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.
13. Certified copy, as per rules. Sd/

(Rajani Dubey)
JUDGE

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