

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5755 of 2019

- Harendar Sharma S/o - Paras Sharma Aged About 22 Years Caste-Badhari R/o - Village Gopal Ganj, Thana Jadavpur, Tahsil And District Gopalganj (Bihar) At Present R/o - Village Arukki, Thana Kotwali Mathura, District Mathura (Uttar Pradesh), District : Mathura, Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Mahasamund, District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Respondent

 For Applicant : Shri Vikash Pradhan, Advocate
 For Respondent/State : Shri Akhtar Hussain, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

11.11.2019

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.713/2018, registered at Police Station Mahasamund, District Mahasamund 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 a secret information Police has seized 50 kg Ganja from the possession of the applicant while he was transporting it in Car No. UP 85-BF/5327.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the

case. He submits that the provisions of NDPS Act have not been complied with and the seizure witnesses have turned hostile. He submits that the applicant is in jail since 9.12.2018 and trial will take some time, 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, particularly considering the nature of allegations against the applicant and trial may take some time, 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 applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with two local sureties of the like amount to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE