

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6251 of 2019**

- Khalil Khan, aged about 33 years, son of Munne Khan, resident of Village Marthara, Thana Dehat Kotwali, District Etah (U.P.)

---- Appellant**Versus**

- State of Chhattisgarh, through Station House Officer, Police Station- Singhoda, District Mahasamund (C.G.)

---- Respondent_

For Applicant	:	Shri Vikas Pradhan, Adv.
For Respondent/State	:	Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20.09.2019**

1. The accused/applicant has moved this bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 24/2019 registered at Police Station Singhoda, District Mahasamund (C.G.) for the offence punishable under Section 20(b) of Narcotic Drugs Psychotropic Substances Act.
2. The prosecution story, in brief is that on 22.02.2019, on the basis of information received from the informant, investigating Officer of the case searched vehicle bearing registration number DL 4C NA 5466, and, at that time, the applicant and other co-accused were seated in the vehicle. After being searched, total 50 kg of contraband Ganja has

been seized from the said vehicle.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant has no criminal background. Learned counsel for the applicant placed reliance upon the judgment of **Mohanlal v. State of Punjab** dated 16.08.2018 passed by the Hon'ble Supreme Court passed in CRA No. 1880/2011. He further added that the other co-accused has granted bail by this Hon'ble Court order dated 04.09.2019, (Annexure A/2). The applicant is in jail since 22.02.2019, therefore, the present appellant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and the judgments of the Hon'ble Supreme Court relied upon by the learned counsel for the applicant and further considering the fact that the applicant is in custody since 22.02.2019 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.
7. Accordingly, the application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 4,00,000/- (Rs.

four lac) with two local solvent sureties each of Rs. 2,00,000/- (Rs. two lac) to the satisfaction of the trial Court, for his appearance before the said Court as and when directed.

**Sd/-
(Rajani Dubey)
Judge**