

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6373 of 2019**

- Durga Prasad @ Kartikram Patel, S/o Lalmani Patel, Aged About 22 Years, R/o Village Bhukel, Police Station Basna, District- Mahasamund (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh, Through: Station House Officer, Police Station Bhatgaon, District- Balodabazar (C.G.).

---- Respondent

For Applicant	: Mr. Vikash Pradhan, Adv.
For Respondent/State	: Mr. Vaibhav Kartikeya Agrawal, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 148/2019 registered at Police Station Bhatgaon, District- Balodabazar (C.G.) for the offence punishable under Section 20 (b) of the N.D.P.S. Act.
2. The prosecution story, in brief is that, on 14.08.2019, on the basis of information, police personnel searched and seized 8.1 KG Ganja from illegal possession of the applicant and another co-accused. Thereafter, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. There is no any previous criminal antecedent against him and the applicant is in jail since 04.09.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant 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 further considering the facts that there is no previous criminal antecedent against him and the applicant is in jail since 04.09.2019 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. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

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