

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6349 of 2019**

- Sagar Singh Gautam @ Golu S/o Bhisham Singh Gautam Aged About 25 Years R/o Village Khamriya, Near Thakur Dhaba, Police Station Amlai, District Anuppur M. P. Presently At Rawabhatha, Near Goverdhan Chowk, Happy Ka Makan, Police Station Khamtarai, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Shri Anil Kant Gupta, Advocate.
For Respondent	:	Shri Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26/11/2019**

1. 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.322/2019 registered at Police Station – Khamtarai, District Raipur(C.G.) for the offence punishable under Sections 20 (B) of the N.D.P.S. Act.
2. It is the case of the prosecution that the police has recovered 1kg 800gm of Ganja (cannabis) from the possession of the applicant. On the basis of above, offence has been registered and the applicant was arrested on 22.6.2019.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question and

mandatory provisions of the N.D.P.S. Act have not been complied with. He submits that as the applicant is in custody since 22.6.2019 and the trial is likely to take some time for its final disposal, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant; the applicant is in custody since 22.6.2019 and charge sheet has been filed, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum 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.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge