

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6457 of 2019

- Rajesh Sharma S/o Kundan Sharma Aged About 28 Years Resident Of Village Bagha, Thana Jadupur District - Gopalganj Bihar, District : Gopalganj, Bihar

---- Applicant

Versus

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

---- Respondent

 For Applicant : Shri Vikash Pradhan, Advocate
 For Respondent/State : Shri Wasim Miyan, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

28.11.2019

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.24/2019, registered at Police Station Singhoda, 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, police has seized 49 kg 800 gm ganja (Cannabis) from the joint possession of the applicant while he was transporting it in a Car No.04 CNA 5466 along with other co-accused persons.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and mandatory provisions of the N.D.P.S. Act have not been complied with. He further submits that the ganja has been seized from the joint possession of the

applicant and other co-accused persons and co-accused, persons have already been enlarged on bail by this Court vide order dated 4.9.2019 passed in MCRC No.4218/2019 and MCRC No.6251/2019 passed on 20.9,2019. He submits that the applicant is in jail since 22.2.2019 and trial may take some time for its final disposal therefore, the applicant may also 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 nature of allegations against the applicant and the co-accused persons have already been enlarged on bail, 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.4,00,000/- with two local solvent sureties each of Rs.2,00,000/-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