

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8182 of 2018**

- Bal Muknd Pandey, S/o Avinash Pandey, aged about 35 years, R/o Village – Fusaro, P.S. Cheremo, District- Bokaro, Jharkhand.

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Kukanar, District- Sukma, (C.G.).

---- Respondent

For Applicant	: Smt. Indira Tripathi, Advocate.
For Respondent/State	: Shri Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**21/02/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 08/2018, registered at Police Station – Kukanar, District - Sukma, (C.G.) for the offence punishable under Section 20 (B) of NDPS Act.
2. As per the prosecution story, on 24.02.2018 on the basis of information received from an informant, police personnel searched the vehicle bearing registration No. JH-09K-4504 in which the present Applicant alongwith co-accused Prabhas Kumar Jha were present. On being searched, 21 kg of contraband cannabis has been seized from the joint possession of the present Applicant and co-accused. On the basis of the said, offence has been registered. Both present Applicant and co-accused person were arrested on 24.02.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. She further submits that mandatory provision of the Act has not been

complied with. She also submits that charge-sheet has already been filed, Applicant is in custody since 24.02.2018 and trial is likely to take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the charge-sheet has been filed, Applicant is in custody since 24.02.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail 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. 2,00,000/- with two local sureties each of Rs. 1,00,000/- to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge