

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8694 of 2018**

- Bodhram Tiwari S/o Udaybhan Tiwari Aged About 45 Years R/o Nareshpur Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Dheerendra Pandey, 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. 336/2018, registered at Police Station – Surajpur, District - Surajpur, (C.G.) for the offence punishable under Section 20 (B) of NDPS Act.
2. As per the prosecution story, on 15.09.2018 on the basis of information received from an informant, police personnel searched the Applicant and seized total 2 Kg of contraband cannabis from the possession of the present Applicant. On the basis of the said, offence has been registered against the present Applicant. The Applicant has been arrested on 15.09.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that mandatory provision of the Act has not been complied with. He also submits that charge-sheet has been filed, Applicant has no previous antecedent of same type of crime, he is in

custody since 15.09.2018 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 15.09.2018 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. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge