

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 8673 of 2018

- Rajkumar Soni S/o Late Suraj Soni Aged About 50 Years R/o Main Road, Baganchha Dafai Haldibadi, Chirmiri, Police Station Chirmiri, District- Korea, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Chirmiri, District- Korea, Chhattisgarh.

---- Respondent

For Applicant	: Shri Anil Gulati, Advocate.
For Respondent/State	: Shri Adil Minhaj, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

07/01/2019

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. 226/2018, registered at Police Station Chirmiri, District Korea (C.G.) for the offence punishable under Section 20 (B)(ii)(b) of the NDPS Act.
2. As per the prosecution story, on 14.09.2018 on the basis of information received from an informant, investigation officer of the case searched the applicant and 340 grams of illicit cannabis has been seized from his possession. Allegedly, he carried the said substance for selling. The applicant has been arrested on 14.09.2018.
3. Learned counsel appearing on behalf of the applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that the quantity of seized ganja is below small quantity, the applicant is in custody since 14-09-2018, charge-sheet has already been filed and trial will take some time, therefore,

he may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application and submits that the applicant has 6-7 previous criminal record, therefore, he may not be released on bail.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the quantity of seized ganja is below small quantity, the applicant is in custody since 14-09-2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant 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 local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)**

Judge