

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6801 of 2019**

- Sandeep @ Rohit Mahra S/o Pancham Das Mahra Aged About 25 Years, R/o Bus Stand Chouti-Amlayee, Police Station Budhaar, District Sahdol (M.P.) As Per The R/o Mentioned Fir And Final Report.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Sariya, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sanjeev Kumar Sahu, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/12/2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 21/2019 registered at Police Station Sariya, District-Raigarh (C.G.) for the offence punishable under Section 20 (B) of Narcotic Drugs Psychotropic Substance Act.
2. The prosecution story, in brief is that, police received an information by informant thereafter, police personnel searched and seized 01 Quantal 45 kg Cannabis (Ganja) from the possession of present applicant and other co-accused in their car CG-10-AM-8479. Thereafter, offence has been registered against the present applicant and other co-accused.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in

question. He further submits that the seizure witnesses have turned hostile and the applicant is in jail since 13.02.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the seizure witnesses have turned hostile and the present applicant is in jail since 13.02.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**