

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7011 of 2019**

- Bhaskar Bairagi s/o Shyam Bairagi aged about 40 years, R/o village Lamtapur, Post office and Police Station Machkund, District Korakut (Odisha) Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Dharsiwa, District Raipur, Chhattisgarh

---- Respondent

For Applicant	:Shri Shivendu Pandya, Advocate
For Respondent	:Shri B.L. Sahu, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/12/2019**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.112/2019, registered at Police Station – Dharsiwa, District Raipur(C.G.) for the offence punishable under Section 20(b) (ii) (c) of the Narcotic Drugs and Psychotropic Substances, Act.
2. Case of the prosecution is that on a secret information, police has seized 24 kg and 600 gms Ganja from the possession of the applicant while he was transporting it in Truck No.18B-0979 along with co-accused from whose possession also 25 kg and 600 gms Ganja has been seized.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime and mandatory

provisions of the N.D.P.S. Act have not been complied with. He submits that the applicant is the conductor and he was no knowledge about the Ganja kept in the vehicle. He further submits that the applicant is in custody since 4.3.2019 and trial is likely to take some time for its final disposal, therefore, the applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the quantity of ganja seized from the possession of the applicant, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one local surety in like sum 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.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge