

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7024 of 2019**

- Manish Vaishnav S/o Late Santosh Vaishnav Aged About 25 Years R/o Prabhat Chowk, Chingrajpara, Police Station - Sarkanda District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station - Sarkanda, District (Revenue And Civil) Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Anand Kesharwani, Advocate.
For Respondent	:	Shri Anurag Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20/12/2019**

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.896/2019 registered at Police Station - Sarkanda, District Bilaspur (C.G.) for the offence punishable under Sections 20 (B) of the N.D.P.S. Act.
2. It is the case of the prosecution that on 5.10.2019, on a secret information, the police has seized 800 gms Ganja (cannabis) from the possession of the applicant. On the basis of above, offence has been registered and the applicant was arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question and

mandatory provisions of the N.D.P.S. Act have not been complied with. He submits that as the applicant is in custody since 6.10.2019 and the trial is likely to take some time for its final disposal, he 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 and yet charge sheet has not been filed, 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 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