

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9233 of 2018

- Gurjeet Singh S/o Shri Nattha Singh, Aged About 38 Years R/o Behind Gurudwara, Veer Sawarkar Nagar Heerapur, Tatibandh Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Police Station Kabir Nagar, Raipur Chhattisgarh.

---- Respondent

For Applicant : Shri N.Naha Roy, Advocate.
For Respondent/State : Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

18/01/2019

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. 214/2018, registered at Police Station – Kabir Nagar, District – Raipur, Chhattisgarh, for the offence punishable under Sections 18, 20(B) of the NDPS Act.
2. As per the prosecution story, on 12.10.2018, on the basis of information received from an informant, police personnel searched the Applicant and total 8.250 Kgs of Doda (poppy straw) has been seized from his possession. On the basis of the above, offence has been registered against the present Applicant and he has been taken into custody on 12.10.2018.
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 the Applicant has no criminal antecedent. The mandatory provisions of NDPS Act has not been complied with. The

Applicant is in custody since 12.10.2018 and trial will 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 with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicant has no criminal antecedent, the Applicant is in custody since 12.10.2018 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