

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9427 of 2018

- Rajesh Sahu S/o Rameshwar Sahu Aged About 34 Years R/o New Adarsh Nagar, Chandra Vihar Colony, Police Station And District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Mohan Nagar Durg District Durg Chhattisgarh.

---- Respondent

For Applicant	: Shri TK Jha, Advocate.
For Respondent/State	: Shri KK Dewangan, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10/01/2019

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. 335/2018, registered at Police Station Mohan Nagar, District Durg (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act.
2. As per the prosecution story, on 31.08.2018 during vehicle searching police party searched the vehicle bearing Registration No. CG 07 BL 5777 and found total 5.4 kgs of illicit ganja from the possession of the present applicant and he has been arrested on 31.08.2018 itself.
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 applicant has no criminal antecedent of same nature, he applicant is in custody since 31-08-2018, 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.
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 applicant has no criminal antecedent of same nature, he applicant is in custody since 31-08-2018, 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