

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 54 of 2019

- Jagannath Sand S/o Gopal Sand Aged About 22 Years R/o Villlage Jamla, Thana Padampur, District Bargarh, Odisha, District : Bargarh *, Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Basna District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Vikash Pradhan, Advocate.
For Non-applicant	: Mr. Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta Order On Board

28.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 535/2017 registered at Police Station – Basna District Mahasamund (C.G.) for the offence punishable under Section 20(B)(IIb) of NDPS Act.
3. Case of the prosecution, in brief is that on 01/12/2017 at Paraskhol Chowk, Basna ASI Pawan Punit, posted at police station Basna seized 9 Kg cannabis from the possession of the applicant.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE