

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 26 of 2020

- Gaurishankar Nishad S/o Shri Murlidhar Nishad Aged About 40 Years R/o Village Budeli, Police Station Baramkela, Tahsil Baramkela, District Raigarh, Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through Officer In Charge Of Police Station Baramkela, District Raigarh, Chhattisgarh

---- Respondent

For Applicant	: Shri Roop Naik, Advocate
For Respondent/State	: Shri Vinod Tekam, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

11/02/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.200/2019 registered at police station Baramkela, District Raigarh (CG) for the offence punishable under Section 20(B) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, on the basis of secret information, the police seized 1.700 kgs. of ganja from the possession of the applicant.

Counsel for the applicant submits that the applicant has been falsely implicated in the case and the mandatory provisions of NDPS Act have not been complied with. He submits that the applicant is in

jail since 30.10.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one local surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge