

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 352 of 2020

- Lalit Rajput S/o Manrakhan Rajput Aged About 21 Years R/o Village Amalidih, Police Station Kawardha, Tahsil Kawardha, District Kabirdham Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bodla, District Kabirdham Chhattisgarh.

---- Respondent

For Applicant	: Shri Dharmesh Shrivastava, Advocate
For Respondent/State	: Shri Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

27/02/2020

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.160/2019 registered at police station Bodla, District Kabirdham (CG) for the offence punishable under Section 20(B) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, the applicant is a Constable posted at police station Bodla. It is alleged that the applicant who is a driver of the police van, along with co-accused were transporting ganja weighing about 98.110 kgs.

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 further submits that the applicant is in jail since 12.10.2019; charge sheet has been filed 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 surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge