

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 418 of 2020**

- Vijay Menon, S/o Bal Krishna Menon, Aged About 33 Years, R/o Block 1/17 Housing Board Colony Jamul Durg P.S.- Jamul District- Durg Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through S.H.O. P.S.- Gurur, District- Balod Chhattisgarh.

---- Respondent

For Applicant	: Mr. Aman Yadav, Adv.
For Respondent/State	: Mr. Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.03.2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 153/2018 registered at Police Station- Gurur, District- Balod, (C.G.) for the offence punishable under Section 8/20 (B) of the N.D.P.S. Act.
2. The prosecution story, in brief is that, on the basis of information, police personnel searched and seized 10.600 KG contraband Marijuana from the possession of the applicant. Thereafter, offence has been registered against the present applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that memorandum of seizure witnesses has not supported the prosecution case before the trial Court. The applicant is in jail since 06.08.2018, there is no likelihood of his case being decided in near future, therefore, the

present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the memorandum of seizure witnesses has not supported the prosecution case before the trial Court. The applicant is in jail since 06.08.2018 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Ruchi