

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4866 of 2020**

- Mukesh Ojha, S/o - Shri Sukhranjan Ojha, Aged About 22 Years, R/o - Sarganwa, Bangaliparra, Ambikapur District- Surguja, Chhattisgarh.

---- Applicant**Versus**

- The State of Chhattisgarh, through the Station House Officer, Police Station- Gandhi Nagar, District- Surguja Chhattisgarh.

---- Respondent

For Applicant	: Mr. Neeraj Kumar Mehta, Adv.
For Respondent/State	: Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.09.2020**

1. The accused/applicant has moved this **second bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 194/2019 registered at Police Station- Gandhi Nagar, Ambikapur, District- Surguja (C.G.) for the offence punishable under Section 22 (B) of the N.D.P.S. Act.
2. The first bail application of the applicant was dismissed as withdrawn with liberty to file the same at an appropriate stage vide order dated 13.02.2020 passed in MCRC No. 8464/2019.
3. The prosecution story, in brief is that, on the basis of secret information, 6.1 gram of Brown Sugar has been recovered from the possession of the applicant. Thereafter, offence

has been registered against the present applicant.

4. 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 other co-accused persons have been granted bail in MCRC No. 4872/2020. The applicant is in jail since 25.08.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that other co-accused persons have been granted bail in MCRC No. 4872/2020. The applicant is in jail since 25.08.2019 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.
8. 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**