

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5124 of 2020**

- Mohammad Abdul Rashid son of late Ali, aged about 43 years, resident of Kanker Board District Madhubabad State Telangana.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Errabor, District Sukma (C.G.)

---- Respondent

For Applicant.	:	Mr. K.K. Pandey, Advocate.
For Respondent/State	:	Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****14.08.2020**

1. Heard.
2. Admit.
3. The applicant has filed this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 3/2019 registered at Police Station : Errabor, District Sukma (C.G.) for the offence punishable under Section 20-B of the NDPS Act.
4. According to the prosecution story, on the basis of information received from an informant, Police Personnel apprehended a vehicle (swift dzire) which was going towards Dornapal from Odisha and seized total 140.00 Kg. contraband article cannabis (Ganja) from the possession of applicant and other co-accused persons.
5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He

further submits that applicant is in jail since 26.02.2019 and no material witness has been examined yet before the trial Court due to the pandemic disease COVID -19, after the dismissal of the first bail of the applicant by the Hon'ble this Court and also there is no possibility of expeditious trial, he ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

6. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
7. I have heard learned Counsel for the parties.
8. Considering the facts and circumstances of the case, the detention period of the applicant, and further considering that as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
9. Accordingly, the bail application is allowed.
10. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 1,00,000/- with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-
(Rajani Dubey)
Judge