

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6400 of 2019

Rahul Nanda S/o Late Mangal Nanda Aged About 25 Years R/o Near Chakraritirth Ghat, Rampura, Village Deodara, P.S. Mandala, District : Mandla, Madhya Pradesh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Kondagaon, District- Kondagaon Chhattisgarh

---- Respondent

For Applicant : Mr. Rajesh Jain, Advocate.

For Respondent/State : Mr. Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

26/05/2020

1. The applicant has preferred this Second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 213/2018, registered at Police Station Kondagaon, District Kondagaon (C.G.) for the offence punishable under Section 20-B of the NDPS Act.
2. First bail of the applicant was dismissed as withdrawn with liberty to file afresh after examination of seizure witnesses vide order dated 14.05.2019 passed in MCRC No. 426/2019.
3. In this case there are total 2 accused persons. As per prosecution story, on 25.08.2018, on the basis of information received from informant police officials searched a vehicle bearing Registration No. MP 20 CA 6519 and seized total 56.025 Kgs. of contraband *ganja* from the possession of the applicant and other co-accused person and they have been arrested on 25.08.2018 itself.
4. Learned counsel appearing on behalf of the applicant submits that applicant is innocent and has been falsely implicated in the present case. Mandatory provisions of the NDPS Act have not been complied with. He further submits that vide order dated 14.05.2019, this Court has granted

liberty to revive the bail application after examination of seizure witnesses, but till date only one witness has been examined, therefore, trial will take some more time. Hence, it is prayed that the applicant may be granted benefit of bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for both the parties.
7. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 25-08-2018, and trial will likely to take some time to conclude, without further commenting on merits of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 4,00,000/- with two local solvent sureties each of Rs. 2,00,000/- to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge