

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7169 of 2019

- Narendra Nayak S/o Narsingh Nayak Aged About 24 Years R/o Village Jayanagar G. P. , Thana Jaypur, District - Koraput (Odisha), District : Koraput, Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Keshkal, District - Kondagaon Chhattisgarh

---- Respondent

For Applicant	: Shri Vikas Pradhan, Advocate
For Respondent/State	: Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/01/2020

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. 81/2018 registered at police station Keshkal, District Kondagaon(CG) for the offence punishable under Section 20(b)(ii)(c) of the Narcotics Drugs and Psychotropic Substances Act.

As per case of the prosecution, on receiving secret information the police apprehended and seized 40.270 kgs. of ganja from the possession of the applicants who was carrying the same in a four wheeler.

Counsel for the applicants submits that the applicant has been

falsely implicated in the crime. He submits that the seizure and memorandum witnesses have turned hostile; he is in jail since 24.07.18 and the trial may take some time for its disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, 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 of Rs. 50,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge