

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7298 of 2019**

- Sanjay Diwedi S/o Shivshankar Diwedi Aged About 39 Years, R/o Village Akodi Thana, Aata, District-Jalaun (U. P.).

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Mr. Vikash Pradhan, Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09/01/2020**

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. 105/2017 registered at Police Station Keshkal, District-Kondagaon (C.G.) for the offence punishable under Section 20(B)(ii-स) of Narcotic Drugs and Psychotropic Substances Act.
2. The prosecution story, in brief is that, on the basis of information received by the informant police personnel searched and seized 50.490 Kg Cannabis (Ganja) from the possession of the applicant. Thereafter, offence has been registered against the present applicant.
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 the memorandum seizure

witness has turned hostile and the applicant is in jail since 17.09.2017, there is no likelihood of his case being decided in near future, therefore, the present appellant 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, detention period of applicant and further considering the facts that the memorandum seizure witness has turned hostile and the present applicant is in jail since 17.09.2017 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**