NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7738 of 2019

- Guddu Kumar Gautam S/o Late Shri Munilal Gautam Aged About 21 Years R/o Village Salamatpur, Police Station Maharajganj, Civil And Revenue District Jounpur Uttar Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Komakhan, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant. : Mr. Sunil Sahu, Advocate.
For Respondent/State : Mr. Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order on Board

21.01.2020

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 91/2018 registered at Police Station : Komakhan, District Mahasamund (C.G.) for the offence punishable under Section 20-B of NDPS Act.
2. According to the prosecution story, on the basis of information received from an informant, Police Personnel searched and seized total 105.00 Kg. contraband article cannabis (Ganja) from the possession of applicant and other co-accused. Thereafter, the applicant has been arrested.
3. Learned counsel appearing on behalf of the applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the other co-accused persons have already been granted bail by this Court on 07.01.2020 in MCRC No. 7207/2019, applicant is in custody

since 24.07.2018, since, the trial will take some time, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.

5. I have heard learned Counsel for the parties.

6. Considering the facts and circumstances of the case, the detention period of the applicant, and further considering the fact that other co-accused persons have already been granted bail by this Court, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.

7. Accordingly, the bail application is allowed.

8. 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

Vijay Sahu