

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8470 of 2019

- Poreddy Rangaiyya S/o Late Venkatiyya Aged About 43 Years
R/o Thanam Cherla, Police Station Maripedha, District
Mehabubabad Telangana.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Errabore, District
Sukma Chhattisgarh.

---- Respondent

For Applicant	: Shri P.R.Patankar, Advocate
For Respondent/State	: Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

07/02/2020

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.05/2018 registered at police station Errabore, District Sukma (CG) for the offence punishable under Section 20(b) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, the applicant along with co-accused has been transporting 52 kgs. of ganja which was seized by the police.

Counsel for the applicant submits that the applicant has been falsely implicated in the case and the mandatory provisions of NDPS

Act have not been complied with. He further submits that similarly placed co-accused has been granted bail by this Court in M.Cr.C. No. 5619/2019 vide order dated 06.11.2019 and therefore the applicant may also be granted similar benefit. He submits that the applicant is in jail since 03.08.2018 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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

Having heard counsel for the parties, considered the totality of the fact, 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 in the sum of Rs. 1,00,000/- with one local surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge