

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8064 of 2019**

Lakhi Ram Chauhan, S/o Shri Nilkanth Chauhan, aged about 23 years, R/o village-Parsi, Police Station – Malkharauda, District Janjgeer-Champa (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through – Officer in charge of Police Station – Saria, District Raigarh (C.G.)

----Non-applicant

For Applicant	:	Mr. Roop Naik, Advocate.
For Non-applicant	:	Mr. Anil Tripathi, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board**

28/01/2020

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 171/2019 registered at police Station Saria, District - Raigarh for the offence punishable under Section 20-B of Narcotic Drugs and Psychotropic Substances Act, 1985.

(2) Case of the prosecution is that the applicant was found in possession of 4 kilograms of cannabis (*Ganja*), which he was carrying unauthorizedly for sale.

(3) Learned counsel appearing on behalf of the applicant submits that applicant has falsely been implicated in the crime in question as there is no evidence available on record to connect the applicant with the crime in question. He further submit that applicant is in detention since 16.11.2019, no useful purpose would be served in detaining him further in jail and that the trial is likely to take some more time for its final disposal, therefore, the

applicant is entitled to be released on bail.

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

(5) Taking into consideration the nature and the gravity of the offences; quality of evidence adduced by the prosecution and further considering the fact that applicant is in detention since 16.11.2019; trial is likely to take some more time for its final disposal; without further commenting on merits; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) 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.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

