

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8326 of 2019**

Ramesh Dubey, S/o Jamuna Prasad Dubey; aged about -52 years; R/o –
Masjidpara; Police Station – Kota; District – Bilaspur (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : Police Station – Kota; District (Revenue & Civil)-
Bilaspur (C.G.)

----Non-applicant

For Applicant : Mr. Anand Kesharwani, Advocate.
For Non-applicant/State : Mr. Anurag Verma, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****06/02/2020**

(1) The accused/applicant has preferred 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. 513/2019 registered at police Station Kota; District (Revenue & Civil) - Bilaspur for the offence punishable under Section 20(B) of the N.D.P.S. Act.

(2) According to the prosecution story, on the basis of information received from an informant, Police Personnel searched and seized total 1.200 Kg. contraband article cannabis (Ganja) from the possession of applicant, which he was carrying unauthorizedly for sale and thereby committed the aforesaid offence.

(3) Counsel for the applicant submits the applicant has been falsely implicated in the crime in question as there is no evidence available on record to connect the applicant with the crime in question. He submits that the applicant is languishing in jail since 04.11.2019;

trial is likely to take some time for its final disposal and no useful purpose would be served in detaining him further in the jail and, therefore, the applicant may be released on bail.

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

(5) Taking into consideration the facts & circumstances of the case; in particular the fact that applicant is in detention since 04.11.2019; trial is likely to take time for its final disposal; no custodial interrogation is required; 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 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 till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

D/-

