

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8456 of 2019

- Nazakat S/o Rahees Ahmad Aged About 25 Years R/o Narela Delhi -40 Pocket 08 House No. 476, Police Station Alipur Delhi, District : New Delhi, Delhi

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Tongpal District Sukma Chhattisgarh, District : Sukma, Chhattisgarh

---- Respondent

For Applicant	: Shri Awadh Tripathi, Advocate
For Respondent/State	: Shri Anurag Verma, 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.26/2018 registered at police station Tongpal, District Sukma (CG) for the offence punishable under Section 20(b) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, on receiving secret information, the police seized 22.160 kgs. of ganja which was kept by the applicant in the car.

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 the applicant is in jail since 21.10.2018 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. 50,000/- 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