

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 9 of 2020**

Mohammad Tauqeer, S/o Mohammad Rafi Khan, Aged about 24 years, R/o Vill. Marwas, Distt. Sidhi (M.P.)

---- Applicant

Versus

State of Chhattisgarh, Through – P.S. - Kondagaon, Distt. Kondagaon (C.G.)

----Non-applicant

For Applicant : Mr. Vikash A. Shrivastava, Advocate.
For Non-applicant/State : Mr. Anil Tripathi, Panel Lawyer.

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

11/02/2020

(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. 265/2019 registered at police Station Kondagaon, Distt. Kondagaon 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 50.350 Kilograms contraband article cannabis (Ganja) from the possession of applicant and other co-accused. Thereafter, the applicant has been arrested.

(3) Learned counsel appearing for the applicant would submit that 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 further submit that applicant is in detention 19.10.2019; no useful purpose would be served in further detaining him in jail and

the trial is likely to take some time for its final disposal; and, therefore, the applicant may be released on bail.

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

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(5) Taking into consideration the facts & circumstances of the case; particularly the facts applicant is in detention since 19.10.2019; trial is likely to take some time for its final disposal and no custodial interrogation is required; 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 till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

D/-

