

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8485 of 2019

- Abhijeet Malik S/o Dilip Malik Aged About 21 Years R/o Padamgiri, Police Station Malkangiri, District Malkangiri, Orissa.,

---- Applicant

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

---- Respondent

For Applicant	: Shri Shrawan Agrawal, Advocate
For Respondent/State	: Shri Wasim Miyan, 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.11/2019 registered at police station Dornapal, 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 reached the spot and seized 17.5 kgs. Of ganja from the possession of the applicant.

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. 6965/2019 vide order dated 16.12.2019 and therefore the applicant may also be granted similar benefit. He submits that the applicant is in jail since 24.06.2019 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