

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1448 of 2021**

- Rahul Kannojiya S/o Sudhir Kannojiya Aged About 30 Years
Caste Kurmi R/o Bagiyafazal Imam Kannoji Thana Kotwali Kannoji
District Kannoji (U.P.),

---- Applicant**Versus**

- State Of Chhattisgarh Through P.S. Nagarnaar District Bastar
Chhattisgarh,

---- Respondent

For Applicant	: Shri Vikas A. Shrivastava, Advocate
For State/Respondent	: Mrs. Veena Nair, Dy.A.G.

Hon'ble Shri Justice Sanjay S. Agrawal**Order On Board****26.05.2021**

1. This is the first bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973 (hereinafter referred as the Cr.P.C.), seeking grant of regular bail to him, as he has been arrested on 27.10.2020 in connection with Crime No. 173 of 2020, registered in Police Station Nagarnaar, Distt. Bastar (C.G.) for the offence punishable under Section 20 (b) (ii) (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, the Act of 1985).
2. According to the prosecution story, a secret information was received by the concerned Police Station and based upon

which, a search was made whereby the alleged contraband article (ganja) was seized from the possession of the applicant and on this basis, the alleged offence has been registered.

3. Learned counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in connection with the said crime. It is contended further that the charge-sheet has already been filed and there is no antecedent registered against him and he is in jail since 27.10.2020, and therefore, he may be enlarged on bail, particularly, when the other co-accused has already been granted bail by the co-ordinate Bench of this Court vide order dated 13.04.2021 passed in M.Cr.C.No.1435 of 2021.
4. On the other hand, learned counsel appearing for the State/respondent has opposed the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary carefully.
6. Having considered the facts and circumstances of the case and considering further that co-accused has already been enlarged on bail with regard to the same crime number and since there is no antecedent registered against the applicant and that the trial is likely to take some time for its final disposal, I am inclined to enlarge the applicant on bail.
7. Accordingly, the application filed under Section 439 of the Cr.P.C. is hereby allowed and it is directed that the applicant shall be released on bail on his executing a personal bond in

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.

Sd/-

(Sanjay S. Agrawal)
Vacation Judge