

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2063 of 2021**

- Nukeshwar Prasad Chandra, S/o Balkrishna Chandra, Aged About 31 Years, R/o Village Beladula, Tahsil & Thana Jaijaipur District Janjgir Champa Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through: The Station House Officer, Police Station Bankimongra, District- Korba Chhattisgarh.

---- Respondent

For Applicant	: Mr. Tapan Kumar Chandra, Adv.
For Respondent/State	: Ms. Fouzia Mirza, Additional Advocate General

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12.05.2021**

1. The matter is heard through video conferencing.
2. Heard on admission.
3. Admit.
4. The accused/applicant has moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 128/2020 registered at Police Station- Bankimongra, District- Korba (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act.
5. The prosecution story, in brief is that, police personnel seized 16.20 Kg of ganja from vehicle No. CG 04 KZ 9988 registered on the name of the applicant. Thereafter, offence has been registered against the present applicant and he has been taken into custody.
6. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that other co-accused person has been granted bail in MCRC No. 9316/2020 and applicant is in jail since 11.01.2021, there is no likelihood of his case being decided in near future and he is ready to furnish adequate surety and shall abide by all the conditions and directions imposed upon him, therefore, the present applicant

may be released on bail.

7. On the other hand, counsel for the State opposes the bail application.
8. I have heard learned counsel for the parties and perused the records.
9. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that other co-accused person has been granted bail in MCRC No. 9316/2020 and applicant is in jail since 11.01.2021, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
10. 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.

Sd/-
(Rajani Dubey)
Vacation Judge

Ruchi