

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2187 of 2021**

- Akash Kumar @ Master, S/o Shri Mahendra Kumar, age about 21 years, R/o Ward No.01, Manjhanpur, Road Sitaru, P.S. Sani, District Kaushambi (U.P.)

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Devendra Nagar, District Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. Pragalbha Sharma, Advocate
For Respondent	:	Mr. Devesh Verma, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****09/04/2021**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.69/2020, registered at Police Station - Devendra Nagar, District Raipur, (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act').
2. The prosecution story, in brief, is that the police of police station Devendra Nagar, District Raipur, acting on a tip-off, seized 27.500 kilogram contraband article cannabis from the possession of the applicant and co-accused persons. Based on this, offence has been registered against the applicant. Present applicant has been taken into custody on 10.09.2020.
3. Learned counsel for the applicant submits that total 27.500 kg contraband has been seized by the police, out of which, only 6.5 kg has been seized from the present applicant, which is less than the commercial quantity. He also submits that mandatory provisions of the NDPS Act have not been

complied with in its letter and spirit. He next submits that the applicant is in custody since 10.09.2020 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, in particular the quantity of ganja, and further considering the fact that the applicant is in custody since 10.09.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge