

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2661 of 2021

- Baare Lal Sumer S/o Late Babu Lal Sumer Aged About 44 Years R/o Bazarpara Moholla Sivni, District Gourela Pendra Marwahi Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Thana Marwahi, District Gaurela Pendra Marwahi Chhattisgarh.,

---- Respondent

For Applicant	: Shri sumit Singh Rathore, Advocate
For Respondent/State	: Shri Rakesh Sahu, Dy.GA

Hon'ble Smt. Justice Rajani Dubey
Order On Board By Virtual Hearing

12/05/2021

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.38/2021 registered at police station Thana Marwahi, District Gourela-Pendra-Marwahi Chhattisgarh (CG) for the offence punishable under Section 20(B) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, on the basis of secret information, the police seized 5 kgs. of cannabis worth Rs. 50,000/- 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 the seized contraband was less than commercial quantity. He submits that the applicant is in jail since 12.03.2021 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)
Vacation Judge