

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3015 of 2021

- Manish Yadav S/o Shri Munna Yadav, aged about 22 years R/o Village-Nawganva, Police Station & Tahsil Baloda, Civil & Revenue District Janjgir-Champa (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh through the District Magistrate Janjgir, Civil and Revenue District Janjgir-Champa (C.G.)

---- Respondent

For Applicant	:	Mr. Paras Mani Shriwas, Advocate
For Respondent/State	:	Ms. Akshara Amit, PL

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

05/07/2021

Heard.

1. This is the *first* bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No. 132/2021 registered at Police Station Baloda (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act.
2. It is submitted that the applicant is innocent who has been falsely implicated in this case. No seizure of cannabis has been made from the possession of this applicant, therefore, there is no case against the applicant. The applicant is in jail since 21/04/2021, therefore, he may be released on bail.
3. Per contra, learned State counsel opposes the bail application.
4. I have heard the learned counsel for both the parties and perused the

case diary.

5. As per prosecution case, 3.76 Kilograms of cannabis was seized from the possession of co-accused Amardas who was the pillion rider on the motor-cycle which was being driven by this applicant.
6. Considered on the submissions. Taking into consideration that the case is now pending for trial and there is likelihood of delay in conclusion of the trial, I feel inclined to allow this bail application and release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge