

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 3397 of 2021**

Gokul Kumar S/o Late Maina Kumar Aged About 38 Years R/o Ward No. 22,  
Near Old Wine Shop, Titurdih, Durg, Tahsil And District- Durg, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh P.S.- Mohannagar, District- Durg, Chhattisgarh.

**---- Respondent**

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For the Applicant : Shri Sanjeev Verma, Advocate.  
For the Respondent/State : Shri Sameer Oraon, G.A.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****16.06.2021**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.134 of 2021, registered at Police Station – Mohan Nagar, District – Durg, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 34(2) of the Chhattisgarh Excise Act.
2. Learned counsel for the applicant submits that the applicant is in jail since 30.04.2021 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the huge quantity of illicit liquor and contraband have been seized from the possession of this applicant. Hence, the applicant is not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. Seizure of 80.1 liters of country-made liquor manufactured in Orissa and 3 kg of ganja (narcotic substance) were made from the possession of this applicant when the same was being transported by him in a train. Hence, this case.

6. Considered the entire material present in the case-diary. As the case is now pending for trial before the trial Court and the applicant is a local resident of this State, hence, for these reasons, I am of the view that the present is a fit case for grant of regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

**Sd/-**

**(Rajendra Chandra Singh Samant)**  
Judge

Nimmi