

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.3965 of 2021

- Narendra Bhushan Dubey S/o Laxmi Prasad Dubey Aged About 68 Years R/o Dhimarpara, Saida, P. S. Sakri, District Bilaspur Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through Station House Officer, P. S. Sakri, District Bilaspur Chhattisgarh

---- Non-applicant

For Applicant	:	Mr. Shubham Dev Mallick, Advocate.
For Non-applicant/State	:	Mr. Aditya Tiwari, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

09-07-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is the first bail application filed for grant of regular bail. The applicant has been arrested on 28.05.2021 in connection with Crime No.198/2021 registered at Police Station— Sakri, District- Bilaspur, C.G. for offence punishable under Sections 20(B) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicant that the applicant is in jail since 28.05.2021. No seizure of contraband has been made from the possession of this applicant. There is likelihood of delay in completion of investigation and trial, therefore, the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that this applicant has criminal antecedents as there are previous cases registered against him under the provisions of C.G. Excise Act, 1950, therefore, he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, the police Station Sakri Bilaspur raided the house of the applicant and then seizure of 5.2 kg. Of cannabis was made from the possession of co-accused Sulakshana Pandey, whereas some cash was seized from the possession of this applicant.
6. Considered on the submissions. Although there is criminal history of this applicant but he is not a repeat offender of any offence under N.D.P.S. Act and further there is no seizure made from him of contraband. Also there is likelihood of delay in completion of investigation in trial, therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge