

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 4966 of 2021**

Ramakant Rajwade S/o Itwari Rajwade Aged About 30 Years Resident Of  
Village Kanki, Thana Uрга District Korba Chhattisgarh.

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

State Of Chhattisgarh Through Station House Officer, Police Station  
Singhoda, District Mahasamund Chhattisgarh.

**---- Respondent**


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For the Applicant : Shri Vikas Pradhan, Advocate.  
For the Respondent/State : Smt. Smriti Shrivastava, P.L.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****18.08.2021**

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.23 of 2019, registered at Police Station – Singhoda, District – Mahasamund, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that the applicant is in jail since 21.2.2019 and has been falsely implicated in this case. The witnesses of search and seizure have been examined in the trial and they have not supported the prosecution case. 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 140 kg of ganja was seized from the possession of this applicant, which is more than commercial quantity. Hence, no case is made out for grant of regular bail to the applicant.

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

5. According to the prosecution case, the police personnel of police station Singhoda, District Mahasamund made a seizure of 140 kg of ganja (narcotic substance) from the possession of this applicant. Hence, this case.

6. Considered on the submissions. Perused the certified copy of the deposition of the witnesses of search and seizure filed alongwith the application, it is found that these witnesses have been declared hostile as they have not supported the prosecution case. Hence, looking to this development, I feel inclined to grant 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