

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5445 of 2021**

Ajay Dansena S/o Shri Tikamlal Dansena Aged About 33 Years R/o Village Kandola Dipapara, Police Station Sariya, Tahsil Baramkela, District Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Jhilmili (Bhaiyathan), District Surajpur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Ajeet Kumar Yadav, Advocate.
For the Respondent/State : Shri Amit Kumar Verma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****27.08.2021**

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.62 of 2021, registered at Police Station – Jhilmili (Bhaiyathan), District – Surajpur, 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 10.7.2021 and has been falsely implicated in this case. The seizure of contraband was not made from the possession of this applicant. 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.

4. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case, 10.6 kg of ganja (narcotic substance) was seized from the possession of co-accused – Ganesh Ram Patel, who was transporting the same in the car belonging to this applicant and there is diary statement that this applicant was involved in the said transportation of contraband. Hence, this case.
6. Considered on the submissions. The applicant does not have any criminal antecedents and the conclusion of the trial is likely to take some time for its final disposal, therefore, 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