

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6278 of 2021**

- Yogesh Tarak S/o Mayaram Tarak Aged About 40 Years R/o Chhura P. S. Gariyaband District Gariyaband Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Chhura, District Gariyaband Chhattisgarh

---- Respondent

For Applicant : Shri Wasim Miyan, Advocate

For Respondent/State : Shri Ragvendra Verma, G. A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/12/2021**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 02.04.2021 in connection with Crime No. 46/2021 registered at Police Station Chhura, Dist Gariyaband C.G. for the offence punishable under Section 20 B and 20 C of NDPS Act.
2. As per the prosecution case, on a raid being conducted when the applicant was driving a motor cycle bearing No. CG 05/GB 3007 along with other co-accused 34.500 Kg of cannabis was recovered.
3. Learned counsel for the applicant submits that the search and seizure witness have not supported the case of the prosecution and the other co-accused namely Manoj in MCRC No. 8910 of 2021 has been enlarged on bail, therefore the present applicant may also be

released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however he do not dispute the fact the other co-accused has been enlarged on bail on the similar grounds.
5. Heard learned counsel for the parties and perused the records.
6. Considering the fact that the seizure witness has not supported the case and other co-accused has also been enlarged on bail, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti