

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6298 of 2021

- Satish Gupta S/o Ramavtar Gupta, Aged About 30 Years, R/o Village Near Saraswati School, Kotma, Madhya Pradesh., Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through: Police Station Hirri District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

----Non-applicant

For Applicant – Shri Raj Kumar Gupta, Advocate.

For Non-applicant/State – Smt. Hamida Siddiqi, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-09-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 31-01-2021 in connection with Crime No.14/2021 registered at P.S. - Hirri, District- Bilaspur, Chhattisgarh for the offence under Section 20 (B) (ii) C of the Narcotic Drugs and Psychotropic Substances Act.

2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated. He is in jail since 31-01-2021. The co-accused persons Ravi Sahu and Prashant Sen have been granted bail by this Court, therefore, it is prayed that this applicant may also be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that there is seizure of 20 kg. Ganja made from the possession of this applicant which is commercial quantity according to the Notification for small quantity and commercial quantity in the N.D.P.S. Act. Therefore, the applicant should not be granted bail.

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

5. On the date of incident this applicant was found in possession of 20 kg. Ganja which was jointly seized from the possession of this applicant and co-accused persons. Hence this case.
6. Considered on the submissions. As the co-accused persons have been granted bail by this Court in common order dated 08-09-2021 passed in MCRC No.5727 of 2021 and MCRC No.5942 of 2021, therefore, I am of this view that this applicant is also entitled for grant of bail.
7. Consequently, this application filed by the applicant 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