

HIGH COURT OF CHHATTISGARH, BILASPUR

• **MCRC No. 7348 of 2020**

- Jugun Nayak S/o Anant Nayak Aged About 27 Years R/o Ward No 8, Police Station Mohna District Gajapati Odisha.

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Police Station GRP Bhilai, District : Durg, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Avinash Chand Sahu, Advocate
For State	:	Ms. Hamida Siddiqui, Dy. A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/01/2021

Heard.

1. The applicant has been arrested in connection with Crime No.29/2020 registered at Police Station- GRP Bhilai, District : Durg, (C.G.) for the alleged commission of offence under Sections 20(B) & 27 (A) of NDPS Act.
2. Prosecution case is that from the possession of the applicant, 11 KG of cannabis was recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and false recovery has been made. Provisions of Section 50 of NDPS Act has also not been followed.
4. On the other hand, learned State counsel opposes and submits that a *prima facie* case is made out on account of recovery of 11 KG of cannabis from the possession of the applicant.
5. Considering the submissions of learned counsel for the parties, quantity alleged to be seized from the possession of the applicant and period of pre-trial detention, this Court is inclined to grant bail to the applicant.

6. Accordingly, the bail application is 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/- along with two local sureties of the like amount to the satisfaction of the Trial Court on the condition that-

- a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) He shall not in any manner, tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-

(Manindra Mohan Shrivastava)
Judge