

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7411 of 2021

1. Raghvendra Tiwari, S/o. Rajkumar Tiwari, Aged About 18 Years 8 months, R/o. Village Devtalab, Thana Naigarhi, District- Reevea, Madhya Pradesh
2. Vijay Mishra, S/o. Suresh Mishra, Aged About 19 Years 4 months, R/o. Village Dahibahara, Thana Naigarhi, District- Reevea, Madhya Pradesh

---- Applicants

Versus

State Of Chhattisgarh, Through Police Station - Gaurela, District- Gaurela-Pendra-Marvahi, Chhattisgarh

---- Respondent

For Applicant : Mr. Vikash Kumar Pandey , Advocate

For Respondent : Mr. Ashutosh Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/12/2021

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 in connection with Crime No.251/2021, registered at Police Station– Gaurela, District Gaurela-Pendra-Marwahi C.G.) for the offence punishable under Section 20(B) of NDPS Act.
2. Case of the prosecution, in brief, is that on 11.07.2021, on a raid being conducted, from the possession of the applicant, 10 Kg Cannabis has been recovered and therefore the offence has been registered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the Cannabis were not seized from his possession, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case and taking into fact that the charge sheet has been filed and the applicant is in jail since 12.07.2021, I am inclined to release the applicant on bail.
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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge