

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8690 of 2020**

- Yogesh Dhruw, S/o Mr. Shivraj Dhruw, Aged About 30 Years, Resident Of Taleshwar, Police Station Chura, Tehsil Chura, District- Gariyaband Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station Chura, Gariyaband Chhattisgarh.

---- Respondent

For Applicant	: Mr. Raza Ali, Adv.
For Respondent/State	: Mr. Samir Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.03.2021**

1. The accused/applicant has moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 150/2020 registered at Police Station- Chura, Gariyaband (C.G.) for the offence punishable under Section 20(B) of the N.D.P.S. Act.
2. The prosecution story, in brief is that, on 18.10.2020, on the basis of secret information, the police personnel seized 4.760 KG of Ganja from the possession of applicant. Thereafter, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that charge-sheet has been filed and the applicant is in jail since 18.10.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail

application submitting that applicant is a habitual offender, therefore, no case is made out to release him on bail.

5. I have heard learned counsel for the parties and perused the records.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 18.10.2020 and charge-sheet has been filed, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/-, with one local 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 to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Ruchi