

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7901 of 2021**

- Devendra Kumar Bhatt, S/o Udhoram Bhatt, aged about 27 Years, R/o Village Ganaud, Satnamipara, Police Station Rakhi, District Raipur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station Rakhi, District Raipur Chhattisgarh.

----Non-applicant

For Applicant	Shri K.K. Dewangan, Advocate.
For State	Shri Anand Verma, Deputy G.A.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

29/11/2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.141/2021 registered at Police Station- Rakhi, District Raipur, C.G. for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.
2. Allegation against the applicant is that on 25.09.2021 he was found in illegal possession of 2.200 Kg cannabis.
3. Learned counsel for the applicant submit that the applicant has been falsely implicated in this crime, he is languishing in jail since 25.09.2021, charge sheet has already been filed and conclusion of trial is likely to take some time. Therefore, applicant be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application. He submits that the applicant has only one criminal antecedent

of the year 2019 under Sections 294. 323 & 506 of IPC as also two cases relating to Preventive Action.

5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the quantity of illicit contraband, charge sheet has been filed, the detention period of the applicant, who is 27 years old and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and conclusion of trial may take some time, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

- (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) he shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

Sd/-
Gautam Chourdiya
Judge

