

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 8315 of 2021**

Jitender Singh Bagga, S/o. Param Jeet Singh Bagga, aged about 33 years,
R/o. Punjabi Para Ward No.11 Khariyar Road Police Station Jonk District
Nuapada (Odisha).

---- Applicant

Versus

State of Chhattisgarh, Through - The Police Station Urla, District Raipur
Chhattisgarh.

---- Respondent

For Applicant	: Mr. P.K. Tulsyan, Advocate
For Respondent/State	: Mr. R.K. Bhagat, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****22/11/2021**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.230/2021, registered at Police Station – Urla, District Raipur (C.G.) for the offence punishable under Section 20-(B) (II-C) of N.D.P.S. Act. The first bail application of the applicant M.Cr.C. No. 7501 of 2021 was dismissed as withdrawn with liberty to file fresh and duly constituted application vide order dated 27.09.2021.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 13.07.2021. The investigation and the trial of the case will take time and looking to the quantity of the contraband seized, the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the total quantity of the ganja seized from this applicant and other co-accused was 28 Kg, hence, for this reason, the applicant is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, 7 KG. Ganja was recovered and seized from the possession of the applicant, whereas, the seizure has also been made from other co-accused persons.
6. Considered on the submissions. Taking into consideration the facts and circumstances of the case and also considering the quantity of the contraband seized from this applicant, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge