

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9024 of 2020

- Roshan Nishad S/o Shri Mohan Nishad Aged About 19 Years R/o Village Paragaon, Police Station Gobra Nawapara, Tahsil Nawapara, District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Excise Circle Pachpedi Naka, Raipur District Raipur Chhattisgarh

---- Respondent

For Applicant	: Shri B.L.Sahu, Advocate
For Respondent/State	: Shri Samir Uraon, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/04/2021

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.47/2020 registered at police station Excise Circle, Pachpedi Naka, Raipur, district Raipur (CG) for the offence punishable under Section 20(B) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, on the basis of secret information, the police seized 5 kgs. 100 grams of ganja from the possession of the applicant.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the contraband seized is

less than the commercial quantity. He further submits that the applicant is in jail since 29.10.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one local surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge