

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8970 of 2020**

- Jaidev, S/o Mahaveer Jaat, Aged About 23 Years, R/o Village Dubeta, Tehsil Gannour, District- Sonipat (Haryana).

---- Applicant**Versus**

- State Of Chhattisgarh Through: The Station House Officer, Police Station- Nagarnaar, District- Bastar, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Hemant Kesharwani, Adv.
For Respondent/State	: Mr. Udhaw Sharma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05.04.2021**

1. Heard.
2. 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. 140/2019 registered at Police Station- Nagarnaar, District- Bastar (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act.
3. The prosecution story, in brief is that, on the basis of secret information, police seized 105 KG ganja from the illegal possession of the applicant. Thereafter, offence has been registered against the present applicant.
4. 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 applicant is in jail since 23.05.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail

application submitting that the seized quantity is more than the commercial quantity and there are antecedents registered against the applicant, therefore, no case is made out to release him on bail.

6. I have heard learned counsel for the parties and perused the records.
7. Considering totality of the facts and circumstances of the case, gravity of offence and further considering the seized quantity of ganja from the possession of the applicant, I am not inclined to release him on bail.
8. Accordingly, his bail application under Section 439 of the Code of Criminal Procedure is rejected.
9. Certified copy as per rules.

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

Ruchi