

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9190 of 2020**

- Jeevan Kumar Sahu S/o Gopal Sahu Aged About 19 Years R/o Village Sonpur, Majhmeda, Near Hanuman Mandir, P. S. And District Sonpur Odisha.

---- Applicant

**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Torwa, District Bilaspur Chhattisgarh.

---- Respondent

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For Applicant : Mr. Rajeev Kumar Dubey, Adv.  
For Respondent : Mr. Devesh Verma, G.A.

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****13.04.2021**

- The applicant has filed this second bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 38/2018 registered at Police Station : Torwa, District Bilaspur (C.G.) for the offence punishable under Section 20(B)(ii-C) of NDPS Act.
- First bail application of the applicant was dismissed as withdrawn by this Court on 18.07.2019 in MCRC No. 3562/2019 and a liberty was given to the applicant to file subsequent bail application after examination of independent witnesses of seizure.
- According to the prosecution story, Police Personnel searched and seized total 26.250 kg. contraband article cannabis (Ganja) from the possession of the applicant.
- Learned counsel appearing on behalf of the applicant

would submit that the applicant is innocent and has been falsely implicated in the case. He would further submit that the applicant is in custody since 21.01.2018 and he is ready to furnish adequate surety and shall abide by all the conditions and directions imposed upon him, therefore, he may be released on bail.

- Per contra, learned counsel appearing on behalf of the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Considering the facts and circumstances of the case, nature and gravity of the offence, detention period of the applicant, as the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 50,000/- with one local surety for the like sum amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

**Sd/-**

**(Rajani Dubey)**  
Judge

v/-