

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 9329 of 2020

- Shakil Khan S/o Shamsheer Ali Aged About 27 Years R/o Kosamkhuta, Jamgaon, Police Station Fingeshwar, District Gariyaband Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Fingeshwar, District Gariyaband Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Ashish Gupta, Advocate
For Respondent-State	:-	Mr. Ayaz Naved, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

03/03/2021

1. Heard.
2. This is a **second bail application** filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.126/2020, registered at Police Station Fingeshwar, District Gariyaband C.G. for the offence punishable under Section 20(B) of the NDPS Act.
3. The first bail application was dismissed for want of prosecution vide order dated 9.12.2020 in MCRC

No.7373/2020.

4. As per the prosecution case, applicant was found in illicit possession of 6 kgs and 160 grams of cannabis (*ganja*) during search on 23.07.2020.
5. Learned State counsel would oppose the prayer for grant of bail. However, he would submit that the concerned SHO has not reported any previous antecedent of the applicant of his involvement in committing similar nature of crime.
6. Considering the fact that the applicant is in jail since 22.8.2020 as also for the fact that charge-sheet has already been filed; the applicant has no previous antecedent, I am inclined to release him on bail.
7. Accordingly, the second bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Certified copy as per rules.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi