

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 63 of 2021**

- Rajendra Kumar Sharma, S/o Shri Jagdish Sharma, aged about 40 years, Caste Brahman, R/o 2nd Line, Ramkrishna Nagar, Bhairampur, P.S. Sadar, District Ganjam (Odisha)

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Singhoda, District Mahasamund (C.G.)

---- Respondent

For Applicant	:	Ms. Kiran Jain, Advocate
For Respondent	:	Ms. Ishwari Gritlahre, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****06/04/2021**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.48/2020, registered at Police Station – Singhoda, District Mahasamund (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act).
2. The prosecution story, in brief, is that the police of police station Singhoda, District Mahasamund, acting on a tip-off, seized 210.00 kilogram contraband article cannabis from the vehicle Eicher 1110 (mini truck) bearing registration No.MP-13-GB-0342. It is alleged that the present applicant was the occupant of the vehicle. Based on this, offence has been registered against the applicant. Present applicant has been taken into custody on 24.06.2020.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. She further submits that the contraband article cannabis has been seized from the joint possession of the applicant and

co-accused persons. She also submits that mandatory provisions of the NDPS Act has not been complied with in its letter and spirit. She next submits that co-accused Pramod Sharma has already been granted regular bail by this Court vide order dated 25.03.2021 passed in MCRC No.8442/2020, therefore, the present applicant may also be granted regular bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, in particular the fact that co-accused has already been granted bail by this Court, and further considering the fact that the applicant is in custody since 24.06.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge