

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6479 of 2019**

- Pappu Verma S/o Late Dashrathlal Verma Aged About 40 Years, R/o Kailash Nagar, Titurdih, Durg, Police Station Mohan Nagar, Tahsil And District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station Mohan Nagar, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Aman Yadav, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29.11.2019**

1. 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. 103/2019 registered at Police Station Mohan Nagar, Durg, District-Durg (C.G.) for the offence punishable under Sections 20 (B) and 27 (A) of Narcotic Drugs Psychotropic Substance Act.
2. The prosecution story, in brief is that, on the basis of information received by the informant, police personnel searched and seized 2.100 kg Cannabis (Ganja) from the possession of present applicant and other co-accused. Thereafter, offence has been registered against the present applicant and other co-accused.
3. 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 the present applicant has been arrested only on the basis of memorandum of co-accused. The applicant is in jail since 03.07.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the present applicant has been arrested only on the basis of memorandum of co-accused. The present applicant is in jail since 03.07.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed, subject to following conditions:
 - That, the applicant will furnish a specific, undertaking that while on bail, he will not commit any offence of NDPS, otherwise bail granted to him will be liable to be cancelled and shall co-operate the prosecution during trial.
 - That, the accused/applicant will make himself available for interrogation before the concerned Investigating Officer as and when required and the accused/applicant will not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.
 - That, the accused/applicant will not act, in any manner, which will be prejudicial to fair and expeditious trial.
 - That, he will furnish a personal bond in the sum of Rs. 1,00,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

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