

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3176 of 2015

- Santosh Yadav aged about 27 years s/o. Dhaniram Yadav, r/o. Baharpur Chamari, Chowki/Police Station-City Kotwali, Mungeli, District Mungeli, District Mungeli (CG), Civil District Bilaspur, Revenue District Mungeli (CG).

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station City Kotwali, Mungeli, District Mungeli (CG), Revenue District Mungeli, Civil District Bilaspur (CG).

---- Respondent

For Applicant	:	Mr. Vipin Singh. Thakur, Advocate.
For Respondent/State	:	Mr. Siddhardh Rathor, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

7/7/2015

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 6-5-2015 in connection with Crime No. 212 of 2015 registered at Police Station City Kotwali, Mungeli, District Mungeli (CG) (CG), for the offence punishable under Section 20(A) of Narcotic Drugs & Psychotropic Substance Act.
2. The case of the prosecution, in brief, is that on 6-5-2015 the present applicant was found in illegal possession of 200 grams of Ganja and thereby he committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that the present has not committed any offence and he has been falsely implicated in the case. He would further submit that the applicant is in jail since 6-5-2015 and no useful purpose would be served by keeping him in jail, therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposing the bail application would submit that 200 grams of Ganja was recovered from the

possession of the applicant, therefore, he is not entitled to be released on bail.

5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration the small quantity of Ganja which has been seized from the possession of the applicant, charge-sheet has been filed, in view of the notification issued by the Central Government and pre-trial detention of the applicant, I am of the considered opinion that *prima facie* it is a fit case where the applicant can be released on bail.
7. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on his furnishing a personal bond of Rs.25,000/- along with one surety of the like amount to the satisfaction of the trial Court. He shall appear before the trial court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge