

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3533 of 2015**

Krishna Kumar Choudhary Son of Shiv Sahay Choudhary, aged about 39 years, resident of Magurda, Police Station-Marwahi, District-Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh Through: Station House Officer, Police Station-Pendra, District-Bilaspur (CG)

---Non-applicant

For Applicant	:	Ms Nirupama Bajpai, Advocate
For Non-applicant	:	Mr.Qamrul Aziz, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****27/07/2015**

1. This is an 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.93/2015 registered at Police Station-Pendra, Distt.Bilaspur (CG), for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act.

2. Case of the prosecution, in brief, is that, the applicant and co-accused were found in possession of 2 kg. of Narcotic Drugs and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant was driving the motor-cycle and 2 kg. of Narcotic Drugs was seized from the possession of the co-accused. Learned counsel would further submit that the applicant is in custody since 10.5.2015 and charge-sheet has already been

filed.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, further taking into consideration the nature & gravity of offence, the fact that ganja has not seized from the co-accused and not from the present applicant, his pre-trial detention and the fact that charge-sheet has already been filed, I am of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed, the applicant shall be released on bail.

8. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-