

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 2917 of 2015

- Sawan Chowhan s/o. Dhobsai age 50 years, Caste Ganda, r/o. village Shivpur, Bathanpara, Tah.&Thana Pathalgaon, Civil & Revenue District Jashpur (CG).

---- Applicant

Versus

- State Of Chhattisgarh Through: Police Station Pathalgaon, District Jashpur (CG).

---- Respondent

For Applicant	:	Mr. Sanjay Agrawal Advocate.
For Respondent/State	:	Mr. Neeraj Pradhan, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

6/7/2015

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 3-4-2015 in connection with Crime No. 51 of 2015 registered at Police Station Pathalgaon, District Jashpur (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 3-4-2015 the applicant was found in possession of 17 small cannabis plants total weight of 900 grams 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, nothing has been seized from the possession of the applicant. He would further submit that charge-sheet has been filed and the applicant and is in jail since 3-4-2015, therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard the counsel appearing for the parties and perused the case diary.

6. After hearing learned counsel for the parties, taking into consideration that 900 grams Ganja has been seized from the applicant which is less than small quantity, pre-trial detention of the applicant, charge sheet has been filed and no further custodial interrogation of the applicant is required by the prosecution, 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.
8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge