

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4764 OF 2015**

Kunwar Singh S/o Juku Sahu aged 30 years R/o Ward No.13, Than
Khamariya District Bemetara (C.G.)

---Applicant

Versus

State of Chhattisgarh through Station House Officer Police Station
Khamariya District Bemetara (C.G.)

---Non-applicant

For Applicant	:	Mr. Malay Shrivastava, Advocate
For Non-applicant	:	Mr. Ramakant Mishra, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****14/09/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 117/2015, registered at Police Station Khamariya, District Bemetara (C.G.), for the offence punishable under Section 20 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Case of the prosecution, in brief, is that 1.300 Kg. of *Ganja* was seized from the possession of the applicant and thereby the applicant has committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case; and even otherwise it is slightly more than small quantity prescribed under the law, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; charge sheet has already been filed; applicant is in jail since 23/07/2015 and quantity of Ganja is slightly more than small quantity, this Court is 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.
8. It is directed that applicant shall be released on bail 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 trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE