

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6138 of 2015

1. Shyam Giri Goswami S/O Lalgiri Goswami Aged About 29 Years
R/O - Village - Chhura, Post Office, Police Station & Tahsil -
Chhura, District - Gariyaband (Chhattisgarh)

2. Smt. Devki Bai Goswami W/O Late Kumarpuri Goswami Aged
About 50 Years R/O Village - Chhura, Post Office, Police Station &
Tahsil - Chhura, District - Gariyaband (Chhattisgarh)

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station - Komakhan, District - Mahasamund (Chhattisgarh)

---- Respondent

For applicants – Shri Shivendu Pandya, Advocate.
For Respondent/State – Shri S.R.J. Jaiswal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/11/2015

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 78/2015 registered in Police Station Komakhan, District Mahasamund (C.G.) for offence punishable under Section 20 (B) of Narcotics Drugs and Psychotropic Substance Act.
2. As per the prosecution case on 25/09/2015 PS Komakhan, on a secret information received police raided the spot where applicants had kept the cannabis and 1kg ganja was recovered from the joint possession of the applicants.
3. Learned counsel for the applicants submits that applicants have

been falsely implicated in this case and they are in jail since 25/09/2015 and seizure has already been made, therefore no further evidence is required. He further submits that cannabis are small quantity, therefore triable by JMFC, therefore applicants may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Considering the allegation and the quantity of cannabis which is nearest to the small quantity prescribed under the law, further considering that the applicants are in jail since 25/09/2015, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE