

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5156 of 2015**

Karansay S/o Late Sukhdev, aged about 50 years, R/o Naugai, Police Station Sonhat, Civil and Revenue District Korea, District-Korea (CG)

---Applicant**Versus**

State of Chhattisgarh Through : Station House Officer, police of Police Station Sonhat, District Korea (CG)

---Non-applicant

For Applicant	:	Mr. Anil Gulati, Advocate
For Non-applicant	:	Mr. Neeraj Kumar Sharma, Dy.Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/09/2015**

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.67/2015, registered at Police Station-Sonhat, District-Korea (C.G.), for the offence punishable under Section 20(A) of the NDPS Act.
2. Case of the prosecution, in brief, is that the applicant was found in possession of three cannabis plants and weight of which was 200 grams.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the place from where the alleged cannabis plants were seized is owned by other. He would also submit that the applicant is in jail since 20.6.2015 and charge-sheet has already been filed, therefore, he may be released on regular 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; taking note of the fact that weight of the cannabis plants is only 200 grams, which is less than small quantity, role of the present applicant, his pre-trial detention and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a 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 his 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

B/-