

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2260 of 2016**

Aamir Khan, aged about 22 years, S/o Shri Salim Khan,
R/o Durga Nagar, Beergaon, P.S.-Urla, Raipur, District
(Revenue & Civil)- Raipur (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh, Through Station House Officer,
Police Station Khamtarai, District : Raipur (C.G.)

---- Non-applicant

For Applicant: Mr. Yogesh Pandey, Advocate.
For Non-applicant/State: Mr. Neeraj Kumar Sharma, Deputy Govt.
Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****03/05/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 112/2016 registered at Police Station Khamtaria, Raipur, District Raipur (C.G.) for the offence punishable under Section 20-B of the Narcotic Drugs and Psychotropic Substance Act, 1985.

(2) Case of the prosecution, in brief, is that 1.4 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 submits that the applicant has not committed any offence and he has falsely been

implicated in the crime in question; and even otherwise it is near to the small quantity prescribed under the law and, therefore, the applicant may be released on bail.

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

(5) Taking into consideration the facts & circumstances of the case; further considering the facts that applicant is in jail since 10.03.2016; and the charge sheet has already been filed; and the fact that as per provisions contained in the NDPS Act, quantity of ganja seized from the applicant is slightly more than the small quantity, this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules

Sd/-

(Sanjay K. Agrawal)
Judge

D/-