

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3849 of 2016

- Bhaskar Sahu S/O Khorbahra, Aged About 52 Years R/O. Village Bharari, Police Station Ratanpur, District Bilaspur (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through : Station House Officer, Police Station Ratanpur, District Bilaspur (Chhattisgarh)

---- Non-applicant

For Applicant	:	Shri Shivang Dubey, Advocate.
For Respondent/State	:	Shri Samir Behar, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

29/06/2016

1. Heard.
2. This is a second bail application for grant of temporary bail in connection with Crime No.309/2015, registered at Police Station Ratanpur, District Bilaspur for the offence punishable under Section 20(B) of the NDPS Act. First bail application was rejected on the ground of pendency of criminal case relating to Crime No.69/2011 for offence under Section 20-B of the NDPS Act.
3. Case of the prosecution in brief is that on 20-12-2015, 1.200 Kg. Contraband has been found in the illegal possession of the applicant and thereby the said offence was committed.
4. Learned counsel for the applicant would submit that the applicant has now been acquitted on 23-06-2016 and the Ganja recovered from the possession of the applicant is 1.200 Kg. i.e. slightly more than small quantity.

5. On the other hand, learned State counsel would oppose the bail application.
6. Taking into consideration the nature of gravity, facts and circumstances of the case, further taking into consideration the quantity of ganja which is slightly more than small quantity, the period of detention and the applicant is in jail since 20-12-2015 and charge sheet has been filed, I am of the view that this is a fit case to enlarge the applicant on regular bail.
7. Accordingly, the application is allowed. It is directed that the applicant 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 Court for his appearance as and when directed.
8. C.C. as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE