

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4808 of 2016

- Gopal Ram S/O Late Shri Manihar Ram Aged About 40 Years R/O Village Komdo, Thana Jashpur Nagar, Tahsil And District Jashpur Chhattisgarh, Civil And Rev. Distt. Jashpur, Distt. Jashpur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Jashpur, Distt. Jashpur Chhattisgarh.

---- Respondent

For Applicant : Mr. Manoj Chauhan, Advocate

For Respondent/State : Mrs. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23-08-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 1-7-2016 in connection with Crime No. 158 of 2016, registered at Police Station Jashpur, District Jashpur (CG) for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on 1-7-2016 on information being received, raid was conducted by the Police and from the house of the applicant two plants of cannabis were recovered and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, he has not implanted the said cannabis and he does not know that cannabis

have grown in the *badi*. It is further submitted that seizure has already been made, charge-sheet has been filed in this case, the applicant is in jail since 1-7-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties.
6. Perused the case diary and also map.
7. Taking into consideration the facts and circumstances of the case and further considering the fact that two plants of cannabis were recovered from the kitchen garden of the applicant and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 1-7-2016, this court is inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju