

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3115 of 2016

1. Laxman Chedavi, S/o. Paretal Chedavi, aged 25 years, R/o. Village-Indori, P.S. - Piparia, Teh. Kawardha, District – Kabirdham (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Piparia, District – Kabirdham (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Ajay Ayachi, Advocate
For Respondent/State	: Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/06/2016

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.84/2016, registered at Police Station – Piparia, District – Kabirdham (C.G.) for the offence punishable under Section 20 B of N.D.P.S. Act.
2. Case of the prosecution, in brief, is that on 02.04.2016 the applicant in the motor cycle, which was parked at the premises of the applicant has kept some cannabis for selling and on search 1 kg of cannabis was found.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that charge-sheet in this case has been filed and no further seizure is required. It is further submitted that considering the quantity of the contraband

seized and the fact that the applicant is in jail since 02.04.2016, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the statements and the quantity of the contraband seized, which is stated to be of 1 kg. Considering the facts and circumstances of the case, quantity of the cannabis seized, and the fact that charge-sheet in this case has been filed and the applicant is in jail since 02.04.2016, 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 each 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/-
(Goutam Bhaduri)
Judge