

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5594 of 2016

1. Angeshwar, S/o. Dharamraj Chandrakar, R/o. Village-Banshapur, Police Outpost – Khandsara, P.S., Tahsil and District – Bemetara (C.G.) Civil and Revenue District – Bemetara.

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station In-charge, Police Outpost – Khandsara, Police Station – Bemetara, District – Bemetara (C.G.)

---- Respondent

For Applicant	: Mr. Sandeep Shrivastava, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/09/2016

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.340/2016, registered at Police Station – Bemetara, District – Bemetara (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act.
2. Case of the prosecution, in brief, is that on 26.06.2016 on a raid being conducted from the possession of the applicant, 2.800 kg cannabis were recovered. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the cannabis was not recovered in person from the present applicant. It is further submitted that charge-sheet has been filed and the applicant is in jail since 27.06.2016, therefore, the counsel prays that 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. Considering the facts and circumstances of the case, particularly the quantity of the cannabis so recovered i.e. 2.800 k.g., charge-sheet has 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 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