

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2035 of 2016**

Umesh Singh S/o Mangal Singh, aged about 59 years, R/o Mahmand Road, Lalkhadan, Police Station Torwa, Tahsil and District Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh Through: Station House Officer, Police of Police Station Torwa, District-Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr. Atul Pandey, Advocate
For Non-applicant	:	Mr. O.P.Sahu, G.A. Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/04/2016

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.73/2016, registered at Police Station-Torwa, District-Bilaspur (CG), for the offence punishable under Section 20(B) of the NDPS Act.
2. Case of the prosecution, in brief, is that the applicant was found in possession of 900 grams of ganja without authority of law.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. Ganja recovered from the applicant is less than small quantity and the offence alleged against the applicant is bailable. The applicant is in jail since 7.3.2016 and charge-sheet has been filed.
4. On the other hand, learned counsel for the State would oppose the bail application.
5. I have heard learned counsel appearing for the parties and

perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence and ganja recovered from the applicant is less than small quantity, 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 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-