

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3202 of 2016

Deepak Vyapari, S/o. Rajeshwar Vyapari, Aged About 39 Years, R/o.UV-1, Badkumari, Police Station : Umarkot, Revenue & Civil District : Navrangpur (Orissa), Permanent R/o. Heerapur Chowk Khatiya Steel, Police Station : Kabir Nagar, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station - Devendra Nagar, Raipur, District : Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/06/2016

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 in connection with Crime No.06/2016 registered at Police Station Devendra Nagar, Raipur, District Raipur (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substance Act, 1985.
2. As per the prosecution case, on 19.01.2016, on information received that the applicant is selling Cannabis, on a raid being made in the Bus-stand, from the possession of the applicant total 2.720 Kg of Cannabis was recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case as the Cannabis was not seized from the conscious possession of the applicant. He further

submits that the charge sheet has been filed and the applicant is in jail since 19.01.2016, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the quantity of seized Cannabis which is 2.720 Kg and further considering the fact that the charge sheet has been filed and the applicant is in jail since 19.01.2016, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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/-
(Goutam Bhaduri)
Judge