

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 555 of 2016**

- Praduman Dwivedi, S/o Ambika Prasad Dwivedi, Age 24 years, R/o Sanjay Nagar, Ward No. 04, P.S. Saman, District Riwa (M.P.)

---- Applicant**Versus**

- State Of Chhattisgarh Through P.S. Torwa, District Bilaspur (C.G.)

---- Non-applicant

For Applicant: Mr. Manish Sharma, Advocate.
For Respondent/State: Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****11/02/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 337/2015 registered at Police Station Torwa, Distt. Bilaspur for the offences punishable under Sections 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

(2) Case of the prosecution, in brief, is that 1 kg. of ganja was seized from the possession of the applicant and, thereby the applicant has committed the aforesaid offence.

(3) Learned counsel for the applicant submits that the applicant has not committed any offence and he has falsely been implicated in the crime in question; and even otherwise it is near to the small quantity prescribed under the law and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; further considering the facts that applicant is in jail since 11.01.2016; as per provisions contained in the NDPS Act, quantity of ganja seized from the applicant is small quantity, this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-