

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1070 of 2016**

Mohammad Arif Sheikh son of Sheikh Dilawar, aged about 38 years,
resident of Basantpur, District-Rajnandgaon (CG)

---Applicant

Versus

State of Chhattisgarh Through: Station House Officer, Police Station-
Kotwali, Rajnandgaon, District-Rajnandgaon (CG)

---Non-applicant

For Applicant	:	Mr. Purnendra Khichariya, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

08/03/2016

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.70/2016, registered at Police Station-Kotwali, District-Rajnandgaon (CG), for the offence punishable under Section 20(B) of the Narcotic Psychotropic Substances Act.

2. Case of the prosecution, in brief, is that the applicant was found in possession of 1.300 kg. of contraband article ganja.

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. He would further submit that the applicant is in jail since 25.1.2016 and charge-sheet is yet to be filed and therefore,

he may be released on bail.

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 and gravity of the offence, quantity of contraband article ganja i.e. slightly more than small quantity and the fact that the applicant is in jail since 25.1.2016, 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 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.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-