

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2876 of 2016

Munna @ Dhaniram Sahu, S/o. Shri Gorelal Sahu, Aged about 55 years, Resident of Village Larkeni, P.S. Marwahi, Civil and Revenue District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Pendra District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Neeraj Mehta, Advocate
For Respondent/ State	:-	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

14/06/2016

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. 21/2014 registered at Police Station- Pendra District Bilaspur (C.G.) for the offence punishable under Section 20 (B) of NDPS Act.
2. Case of the prosecution in brief, is that on 25.01.2014, the cannabis was seized from one Harkesh Gupta of 2.600 Gram. Subsequently when the other co-accused was interrogated he stated that the said cannabis was supplied by the present applicant for the purpose of sale and on that basis the present applicant has been arrested.
3. Counsel for the applicant submits that from such statement of co-accused Harkesh Gupta nothing is available against the present applicant and no seizure was made from the possession of the present applicant. He further submits the charge sheet has been

filed in this case and the applicant is in jail since 16.03.2016, therefore, the applicant may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Considering the fact that the charge sheet has been filed in this case, taking into the fact that the seizure has already been made from Harkesh Gupta, the other co-accused. Considering the degree of allegation levelled against the applicant and the fact that the applicant is in jail since 16.03.2016, this Court is of the opinion, that the present is a fit case, in which, the applicant should be enlarged on regular 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 their appearance as and when directed.

Sd/-

(Goutam Bhaduri)
Judge