

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2937 of 2016

Shambhunath Kenwat S/o. Rupsingh Kenwat, Aged About 64 Years,
R/O Village Madkadi, Police Station Bilaigarh, District Balod Bazar
Bhathapara Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station
Bilaigarh, District Baloda Bazar - Bhathapara Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. C.R. Sahu, Advocate
For Respondent/ State	:-	Mr. Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/06/2016

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. 99/2016 registered at Police Station- Bilaigarh, District Baloda Bazar, Bhathapara (C.G.) for the offence punishable under Sections 20 B of the NDPS Act.
2. Case of the prosecution in brief, is that on 01.04.2016, an information received that the applicant used to sell the cannabis from his house, as such when the house was raided from the *Kotha* of the cattle house (Maveshi Kotha) 2.500 KG cannabis was recovered, thereby the offence has been committed.
3. Counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the charge sheet has been filed in this case and no further investigation is necessary. He further submits that the applicant is in jail since 01.04.2016, therefore, the applicant may be enlarged on bail.

4. Per contra State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstance of the case and taking into the fact that no further investigation is required in this case, further taking into the fact that the quantity of seized cannabis and the detention period of the applicant and the fact that the charge-sheet has been filed in this case, 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 each in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge