

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3145 of 2016

1. Abhay Singh, S/o. Dani Singh, aged about 35 years, R/o. Fathamuda Jutmil, Raigarh, Tahsil and District – Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Kotwali, District – Raigarh (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Vivek Tripathi, Advocate
For Respondent/State	: Mr. Lav Sharma, Panel Lawyer

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, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.128/2016, registered at Police Station – Kotwali, District – Raigarh (C.G.) for the offence punishable under Section 20 (B) of N.D.P.S. Act.
2. Case of the prosecution, in brief, is that on 08.03.2016, on raid being made, the applicant was moving in the village in the Maruti Car Rits bearing No.C.G.-13-D-4289 and from his possession 2 kg 200 gm cannabis was seized.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the applicant was not in conscious possession of cannabis. It is further submitted that charge-sheet in this case has been filed and the

applicant is in jail since 08.03.2016, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case, the quantity of the contraband seized, and the fact that charge-sheet in this case has been filed and the applicant is in jail since 08.03.2016, 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 applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety each 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/-
(Goutam Bhaduri)
Judge