

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

**MCRC No. 3232 of 2016**

- Bhuwan Nag S/O Tilu Nag Aged About 35 Years Caste Ghadwa, R/O Near Panarapara School, Praveer, Ward, Thana City Kotwali, Jagdalpur, Civil And Rev. Distt. Bastar Chhattisgarh.

---- Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer Kotwali (City), Civil And Rev. Distt. Bastar Chhattisgarh.

---- Respondent

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For Applicant : Mr. Punit Ruperal, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**30.06.2016**

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 on 22-04-2016 in connection with Crime No. 122 of 2016, registered at Police Station Kotwali (City), District Bastar (CG) for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per prosecution case, 22-4-2016 on information being received that the applicant is in possession of cannabis weighing 1kgm a raid was made and the said cannabis was recovered from the applicant and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the cannabis allegedly recovered from the applicant is 1 kg which is small in quantity and maximum punishment for the aforesaid offence is one year. He would further submit that charge-sheet has

been filed, no further investigation is necessary and the applicant is in jail since 22-4-2016, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration all the facts and circumstances of the case, nature of allegation leveled against the applicant, charge-sheet has been filed, the applicant is in jail since 22-4-2016 and further considering the fact that the alleged seized cannabis is 1 kg which is small in quantity, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-  
**(Goutam Bhaduri)**  
Judge

Raju