

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3311 of 2016

1. Tejram Gupta, S/o. Goya Gupta, aged about 59 years, R/o. Village-Navagarh, Bahirkela, Police Station Gharghoda, District – Raigarh (C.G.)

----Applicant

Versus

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

---- Respondent

For Applicant	: Mr. Ashish Gupta, Advocate
For Respondent/State	: Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/07/2016

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.96/2016, registered at Police Station – Gharghoda, District – Raigarh (C.G.) for the offence punishable under Section 20(B) of the N.D.P.S. Act.
2. Case of the prosecution, in brief, is that on 08.04.2016 on secrete information received, from the house of the applicant 1.40 kg cannabis were recovered. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the applicant is not sole inmate of the house and he is aged about 59 years. He further submits that charge-sheet in this case has been filed and no further investigation is necessary and the applicant is in jail since 08.04.2016, 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 cannabis seized, charge-sheet in this case has been and no further seizure is required and the applicant is in jail since 08.04.2016, 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 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