

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4255 of 2016

- Om Prakash Mahant S/o Shri Thirman Das Mahant Aged About 24 Years R/o Q. No. E.W.S.-4, Sada Colony, Near Shiv Temple, Korba, Tahsil/ Distt. Korba Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Out Post Rampur, Thana Kotwali, Rev./Civil District Korba Chhattisgarh. --- **Respondent**

For the applicant : Mr. Sameer Singh, Advocate
For the Respondent : Mrs.Shobha Kashyap, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 273 of 2016 registered by Out Post Rampur, P.S. Kotwali Distt. Korba (C.G) for the offence punishable under Sections 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per the prosecution case, on 20.06.2016 having received information that the applicant was in possession of Ganja, the police raided the house of applicant and during such raid, 1.500 Kgs., of was recovered from him, thereby, the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and no cannabis was seized from the applicant in person. He further submits that the charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 20.06.2016, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.

5. Perused the case diary documents.
6. Considering the quantity of cannabis i.e., 1500 grams allegedly recovered from the applicant as also the fact that the charge sheet has been filed and the applicant is stated to be in jail since 20.06.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE