

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5023 of 2016

- Baka Jagat @ Krishna S/O Parshu Ram Jagar Aged About 22 Years Occupation : Labour, R/O Gandhi Nagar, Kali Badi, Police Station Kotwali, Raipur Chhattisgarh M. No. 8234801646

---- Applicant

Versus

- State Of Chhattisgarh Through : Station House Officer Police Station : City Kotwali Raipur District : Raipur Chhattisgarh

---- Respondent

For Applicant : Mr. C.R. Sahu, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30-08-2016

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 3-7-2016 in connection with Crime No. 142 of 2016, registered at Police Station City Kotwali, Raipur, District Raipur (CG) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on 2-7-2016 on being information received that the applicant was selling cannabis at near Gandhi Nagar Ground Kali Badi, Raipur, a raid was conducted by Police party and from the possession of the applicant 1 kg 200 grams of cannabis were recovered from him.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in this case and the cannabis were not seized in person from the applicant. He would further submit that charge-sheet has been filed in this case, he is in jail

since 3-7-2016 and no further investigation is required, therefore, the applicant may be released on bail.

4. *Per contra*, 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 the facts and circumstances of the case, primary quantity of cannabis so recovered from the possession of the applicant and also the fact that charge-sheet has been filed and the applicant is in jail since 3-7-2016, 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