

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5166 of 2016

Pusau Ram Nirmalkar, S/o. Banshilal Nirmalkar, Aged About 80 Years,
R/o. Usalpur Fatakpara, P.S. Civil Line, Tahsil & District Bilaspur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through: S.H.O., P.S. Civil Line, Distt. Bilaspur
(C.G.).

---- Respondent

For Applicant : Mr. Bharat Lal Dembra, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.09.2016

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 in connection with Crime No.369/2016 registered at Police Station- Civil Line, Distt. Bilaspur (C.G.) for the offence punishable under Section 20-B of Narcotic Drugs & Psychotropic Substance Act.
2. As per the prosecution case, on 19.06.2016 on information received and on raid being made from the possession of the applicant, total 2.100 Kg Cannabis has been recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated as the recovery was not made in person from the applicant. He further submits that the applicant is 80 years old and the charge sheet in this case has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and taking into fact that the charge sheet has been filed and the quantity of seized Cannabis is 2.100 Kg and further considering the fact that the applicant is shown to be 80 years of age, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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.

Sd/-
(Goutam Bhaduri)
Judge