

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5157 of 2016

- Sahab Jhariya S/o Shri Sokka Jhariya Aged About 30 Years R/o Village Rasoi, P.S. Katangi, District Jabalpur, Madhya Pradesh.

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Devendra Nagar, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri C.R. Sahu, Advocate
For Respondent	:	Shri Anant Bajpari, 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.33/2016, registered at Police Station-Devendra Nagar, Raipur District- Raipur (C.G.) for the offence punishable under Section 20 (B) of Narcotic Drugs & Psychotropic Substance Act.
2. As per the prosecution case on 09/03/2016, a raid was made and from the possession of the applicant 2 kilograms of cannabis was recovered.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case, the recovery was not made from the possession of the applicant, no further investigation is necessary and he is in jail since 09/03/2016; therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and particularly considering the

quantity of cannabis and also that the applicant is in jail since 09/03/2016, I am inclined to release the present applicant on bail.

6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.
8. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

Judge

Rahul