

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5517 of 2016

- Sheikh Nishar S/o Sheikh Jalil Aged About 36 Years R/o Santoshi Nagar, Taj Nagar, House Of Munni Bai, Post Office Raipur, Police Station Tikrapara, Raipur, District Raipur, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Tikrapara, District Raipur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Shivendu Pandya, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.09.2016

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. 219/2016 registered at P.S. Tikrapara, Distt. Raipur (C.G) for the offence punishable under Section 20-B of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, on receipt of secret information a raid was conducted by the police on 02.06.2016 in the premises of the applicant and on such raid, 2.800 Kgs., of contraband was recovered from the possession of the applicant.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and the cannabis so recovered was not in person from the applicant. It is further submitted that the charge sheet has been filed, no further investigation is necessary and the applicant is in jail since 02.06.2016.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Considering the facts and circumstances of the case especially the fact that the quantity of Ganja alleged to be recovered from the applicant is 2.800 Kgs., as also the fact that the charge sheet in this case has been filed and the applicant is stated to be in jail since 02.06.2016, 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**