

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6389 of 2016

Chandrakant, S/o. Ankalu Ram Sahu, Aged About 30 Years, R/o. Village Ramdawa, Police Station Gandai, Tahsil Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Gandai, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Rakesh Pandey, Advocate

For Respondent : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.10.2016

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.222/2016 registered at Police Station- Gandai, District Rajnandgaon (C.G.) for the offence punishable under Section 20(b) of the NDPS Act, 1985.
2. As per the prosecution case, on information received that the applicant is carrying Cannabis, on 06.09.2016 when a raid being conducted in the house of the applicant, total 1.300 Kg of Cannabis were recovered; thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and seizure of the Cannabis were not made in person from the present applicant, but it was made from the premises not within the control of the applicant, 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 specially taking into fact that the quantity of seized Cannabis i.e. 1.300 Kg, 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