

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6446 of 2016

Syed Anwar S/o Shri Syed Salim Aged About 26 Years R/o
Motibagh Chowk, Gupta Complex Raipur, Police Station Goal
Bazar, Tahsil- Raipur, Revenue & Civil District- Raipur,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Goal Bazar Raipur,
Chhattisgarh.

---- Respondent

For applicant - Shri Bhaskar Payashi, Advocate.
For Respondent/State – Shri Ashutosh Pandey, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/10/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.42/2016 registered in Police Station Goal Bazar Raipur (C.G.) for offence punishable under section 20 (B) of N.D.P.S. Act.
2. As per the prosecution case, on an information received that the applicant is in possession of the cannabis, premises was raided and from the possession of the applicant 2 kg 800 gms of cannabis were recovered, thereby offence is committed.
3. Learned counsel for the applicant submits that there are severe discrepancy of the time appears because of the statement of the seizure witnesses. He further submits that seizure was made from the public place and it was open place do not belong to anyone, therefore allegation cannot be attributed to the applicant, charge sheet has been filed no further investigation would be necessary, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Considering the facts and circumstances and further taking into quantity of the cannabis which is seized and also for the fact that charge sheet has been filed, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE