

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6696 of 2016

1. Satish Kashayap, S/o. Shri Santosh Kashayap, aged about 29 years,
R/o. Shankar Ward Mallahpara, Nandi Chowk, P.S. - Mungeli, District
– Mungeli (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station
– Mungeli, District – Mungeli (C.G.)

---- Respondent

For Applicant	: Mr. Vinay Pandey, Advocate
For Respondent/State	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/11/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.352/2016, registered at Police Station – Mungeli, District – Mungeli (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act, 1985.
2. Case of the prosecution, in brief, is that on 25.07.2016 on a raid being conducted from the possession of the applicant 1.350 kg. cannabis were recovered. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no recovery was made in person from the present applicant. It is further submitted that

charge-sheet in this case has been filed and no further investigation is required in this case and the applicant is in jail since 25.07.2016, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application
5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case, taking in to the quantity of the cannabis seized i.e. 1.350 kg. and further taking into the fact that charge-sheet in this case has been filed and the applicant is in jail since 25.07.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge