

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6758 of 2016

- Anil Kumar Marko S/o Hagru Kumar Marko Aged About 32 Years R/o Village Lamkena, Police Station Kota, District - Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Lalpur, District Mungeli Chhattisgarh

---- Respondent

For the applicant	:	Mr. Vikas Pandey, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.11.2016

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.132/2016 registered at P.S. Lalpur, Distt. Mungeli (C.G) for the offence punishable under Section 20-B of the Narcotic Drugs and Psychotropic Substances Act, 1985 & 25 of the Arms Act.
2. As per the prosecution case, on 31.07.2016 the police had a tip-off that the applicant along-with other accused was transporting cannabis on a motorcycle for sale and on receipt of such information, a raid was conducted and when the applicant was intercepted, 1280 grams of cannabis was recovered from the possession of applicant and other accused.
3. Learned counsel for the applicant would submit that the

applicant has been falsely implicated and the seizure of cannabis was not made in person from the present applicant. He further submits that the other co-accused Surendra Kumar has been enlarged on bail by this Court in M.Cr.C.No. 5156/2016 on 05.09.2016. He further submits that the charge sheet in this case has been filed; no investigation is necessary and the applicant is in jail since 31.07.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that co-accused has been enlarged on bail by this Court in M.Cr.C. No. 5156/2016.
5. Considering the fact that the charge sheet in this case has been filed and the total quantity of ganja i.e., 1280 grams has been jointly recovered from the possession of the applicant and co-accused and the fact that the co-accused has already been enlarged on bail in M.Cr.C.No. 5156 of 2016 I am inclined to allow this bail application.
6. 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**