

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6744 of 2016

Sanjay Dhruv, S/o. Shatruhan Prasad Dhruv, Aged About 18 Years, Caste Gond, R/o. Near Water Tank, Kududand, Police Station Civil Lines, Bilaspur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station Civil Lines, Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sanjay Patel, Advocate

For Respondent : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25.11.2016

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.560/2016 registered at Police Station- Civil Lines, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substance Act, 1985.
2. As per the prosecution case, on 16.02.2016, on a raid being conducted, from the possession of the applicant, total 2 Kg Cannabis was recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the Cannabis was not recovered from the person of the present applicant. He further submits that the charge sheet has been filed and no further investigation is necessary, 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. Perusal of the case diary would show that from the possession of the applicant, 2 Kg Cannabis was recovered. Considering the facts & circumstances of the case and specially taking into the quantity of the seized Cannabis and the fact that the charge sheet has been filed, 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