

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7422 of 2016

1. Prakash Meher, S/o. Dharmanand Meher, Aged About 19 Years.
 2. Himanshu alias Pintu Bariha, S/o. Muthalu Bariha, Aged About 20 Years.
- Both R/o. Village Jamla, Thana Padampur, District Bargarh, Odisha.

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Tendukona, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicants : Mr. Vikash Pradhan, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.12.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.125/2016 registered at Police Station- Tendukona, District Mahasamund (C.G.) for the offence punishable under Section 20(b)II(B) of Narcotic Drugs Psychotropic Substances Act.
2. As per the prosecution case, on 06.07.2016, on information received that the applicants are in possession of Cannabis, they were intercepted while they were moving and from their possession total 3.970 Kg of Cannabis were recovered.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and no seizure was made in person from the present applicants and there are two applicants and the charge sheet has been filed, therefore, they 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 seizure memo wherein it is stated that from the present applicants four packets of Cannabis were recovered which were weighing 3.970 Kg. Taking into the number of accused and the quantity of Cannabis seized and the fact that the charge sheet has been filed, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge