

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7987 of 2016

- Loknath Mehar S/o Lachhindar Mehar Aged About 25 Years R/o Bukla, Khariyar Road, District Navapada Orissa.
- Yashwant S/o Bhujbal Mehar Aged About 20 Years R/o Bukla Khariyar Raod, District Navapada Orissa.

---- Petitioners

Versus

- State Of Chhattisgarh Through S.H.O. Purani Basti Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vikram Singh, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19-12-2016

1. This is 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 on 2-9-2016 in connection with Crime No. 315 of 2016 registered at Police Station Purani Basti, Raipur, District Raipur (CG) for the offence punishable under Section 20-B of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per the prosecution case, on 2-9-2016 on information being received that the applicants were having possession of cannabis weighing about 2 kgs and they were ready to sell the same, a raid was made in which the applicants were found in possession of the said cannabis and the same was recovered from them.
3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case and the cannabis were not seized in person from the applicants. He would further submit that the charge-sheet has been filed in this case and the applicants are in jail since 2-9-2016, therefore, they may be released on bail

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the totality of the circumstances, further considering the quantum of seized cannabis and also the fact that charge-sheet is filed, the applicants are in jail since 2-9-2016, this court is inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them 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 their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju