

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8284 of 2016**

- Ashok Gandharw S/o Laxman Gandharw Aged About 28 Years R/o Village - Gobripaat, Police Station Kota, District - Bilaspur Chhattisgarh

--- Applicant

Versus

- State of Chhattisgarh through the Police Station Takhatpur, District - Bilaspur Chhattisgarh

--- Respondent

For applicant

- Shri A. K. Yadav, Advocate.

For Respondent/State

- Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri**Order****22-12-2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.236/2016 registered in Police Station Takhatpur, District Bilaspur (CG) for offence punishable under section 20(B) of NDPS Act, 1985.

2. As per the prosecution case, on 19/08/2016 on a raid being conducted 1.962 kg of cannabis was recovered from the joint possession of the applicant and the other co-accused who were travelling in a motorcycle.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, no recovery was made in person from the applicant, charge sheet has been filed and no further investigation is necessary. He further submits that the person namely Kailash Gandharw against whom similarly allegation was made has been enlarged on bail by this Court in M.Cr.C.No.7010/2016 on 09.11.2016 and this applicant is in jail since 22.08.2016, therefore, he may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail. However, he do not dispute the fact that the co-accused has been enlarged on bail by this Court.

5. Perused the case diary and the documents. Considering the facts and circumstances, especially taking into quantity of cannabis which is 1.962 kg., allegedly recovered from the joint possession of the applicant and other accused namely Kailash Gandharw who has already been enlarged on bail by this Court, this court is inclined to allow this bail application.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-
(Goutam Bhaduri)
JUDGE