

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 13 of 2017

Mani Singh, S/o. Late Mangal Singh, aged about 56 years, Occupation -Driver, R/o. Chhattisgarh Nagar, P.S. - Tikrapara, Raipur (C.G.) (Mob. No.9303669604)

---- Applicant

Versus

The State of Chhattisgarh, Through : Police Station – Kotwali, Raipur, District – Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. C.R. Sahu, Advocate
For Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

16/01/2017

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.339/2016, registered at Police Station- Kotwali, Raipur, District – Raipur (C.G.) for the offence punishable under Section 20 (B) of Narcotic Drugs and Psychotropic Substances Act.
2. Case of the prosecution in brief is that on 15.12.2016 on secrete information received that the applicant is selling the Cannabis, a raid was conducted and from his possession 1.750 Kg. of Cannabis was seized. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is submitted that Cannabis was not seized in person from the present applicant. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 16.12.2016, therefore, the applicant may be enlarged on bail.
4. On the other hand, learned State counsel opposes the bail application.

5. I have heard the learned counsel for the parties.
6. Perused the case diary and documents. Considering the facts and circumstances of the case, charge-sheet in this case has been filed and further taking into the quantity of the Cannabis seized i.e. 1.750 Kg., this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge