

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 174 of 2017

- Shyamlal Yadav S/o Lakhan Yadav Aged About 30 Years R/o Davna, Police Station- Ramanujnagar, District- Surajpur, Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station- Ramanujnagar, District- Surajpur, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. D.N. Prajapati, Advocate

For Respondent/State : Mrs. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24-01-2017

1. This is first bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 9-10-2016 in connection with Crime No. 198 of 2016 registered at Police Station Ramanujnagar, District Surajpur (CG) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substance Act.
2. Case of the prosecution, in brief, is that on 9-10-2016 on information being received that the applicant was carrying cannabis, a raid was conducted and from the possession of the applicant 3 kgs of cannabis were recovered and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and

seizure was not made in person from the applicant.. He would further submit that charge-sheet has been filed, the applicant is in jail since 9-10-2016 and no further investigation is necessary, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail application
5. I have heard learned counsel for the parties, perused the case diary and documents .
6. Taking into consideration all the facts and circumstances of the case and furthering considering the quantity of cannabis, and also the fact that charge-sheet has been filed, the applicant is in jail since 9-10-2016 and no further investigation is required, I am inclined to release the applicant on bail.
7. Accordingly, the application filed under Section 439 of the Cr.P.C., is allowed and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju