

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1111 of 2017

1. Shiv Kumar Yadav, S/o. Ram Bhanwar Yadav, Aged About 22 Years, R/o. Village- Kakodha Devbhita, Police Station- Kokhraj, Tahsil- Sirathu, District -Koshambi, Uttar Pradesh. (Address Wrongly Shown In The Order Sheet). Presently R/o. 2/639, Masjid Road, Kota, Raipur, District- Raipur, Chhattisgarh.

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station : Moudhapara, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Sunil Sahu, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/03/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.197/2016, registered at Police Station – Moudhapara, District – Raipur (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substance Act, 1985.
2. As per the prosecution case, on 13.12.2016 on an information received that three persons were carrying contraband, they were intercepted and from the present applicant 2.5 kg of Cannabis was seized. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that exclusively from the present applicant, 2.5 kg of Cannabis was seized and from other co-accused other quantity was seized. It is further submitted that

charge-sheet in this case has been filed and the applicant is in jail sine 13.12.2016, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case and further taking into the fact that according to the prosecution exclusively from the possession applicant 2.5 kg of Cannabis was seized. Taking into the fact that charge-sheet in this case has been filed and further taking into the fact the quantity of the Cannabis so seized, 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 the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his 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 his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge