

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1230 of 2017

Paltu Baiga S/o Mr. Jharnu Baiga Aged About 61 Years R/o
Sarasdol, Chowki- Khudiya, Thana- Lormi, District- Mungeli,
Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh Through Police Station- Lormi, District-
Mungeli, Chhattisgarh.

---- Respondent

For applicant - Shri Achyut Tiwari, Advocate.
For Respondent/State – Shri Wasim Miyan, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/03/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 543/2016 registered in Police Station Thana Lormi, District Mungeli (CG) for offence punishable under section 20(a) of NDPS Act, 1985.
2. As per the prosecution case, on 4/11/2016 on a raid being conducted from the badi (kitchen garden) of the applicant 16 cannabis plants were recovered. Thereby, offence has been committed.
3. Learned counsel for the applicant submits that place from where the plant is seized is government land which was not in his exclusive possession and it was far away from the house which is open space, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and documents as also the map. In map large area has been shown. Prima facie it shows that it is open area. Taking into nature of recovery and the place, this court is inclined to

release the applicant on bail.

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