

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4327 of 2017

- Anil Kharsayan @ Sonu S/o Shri Janakram Kharsayan, Aged About 30 Years R/o Keshawpur Tilak Ward Mungeli, Police Station City Kotwali Mungeli, Revenue District Mungeli, Civil District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali Mungeli, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sunil Sahu, Advocate
For Respondent	:	Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

23/10/2017

1. Heard on application under Section 439 of the Code of Criminal Procedure. This is the first bail application.
2. Learned counsel for the applicant submits that applicant has been arrested and detained in connection with offence under Section 20(B) II (B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') for having in his possession contraband the narcotic substance Ganja 3.100 kg in Crime No.252/2017 registered at Police-station- City Kotwali, Mungeli, District-Mungeli (C.G.).
3. It is submitted that applicant is innocent and has been falsely implicated. Applicant is in jail since 11.5.2017. The place were searched and seizure was made from the house in which the applicant was residing and that house was not in the sole occupancy of the applicant, being shared by the other family members of the applicant.

Hence, prayed that the applicant be enlarged on bail.

4. Per contra learned State counsel opposes the grounds in the application and submissions made in this respect.
5. Heard both the parties and perused the case diary.
6. Considering the facts and circumstances of the case, it is apparent from the case diary and that applicant is local resident of the locality whole availability before the trial Court shall not be compromised if he is enlarged on bail, hence, this appears to be a fit case where the applicant should be enlarged on 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 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/-
(Rajendra Chandra Singh Samant)
Judge