

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5508 of 2017

Tulsi Ram Sahu S/o Shri Kheduram Sahu, Aged About 46 Years R/o Indra Nagar,
Durg Tahsil & District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Dhamdha, District- Durg,
Chhattisgarh.

---- Respondent

For Applicant	:	Shri Shokie Yadav, Advocate
For State	:	Shri Shashank Thakur, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/11/2017

Heard.

1. The applicant has been arrested in connection with Crime No.233 of 2016 registered in Police Station- Dhamdha, District- Durg (C.G.) for alleged commission of offence under Sections 20 (B) (ii) (C) of NDPS Act.
2. Case of the prosecution, in brief, is that 146.20 kg. cannabis were recovered from the house of one Manoj Kumar Sahu. It is alleged that the said Manoj along with other co-accused including the applicant are also involved in illegal trafficking of cannabis.
3. Learned counsel for the applicant would submit that the seizure of contraband was made from the house of Manoj and it is falsely stated that vehicle which was standing in the house of Manoj belong to the present applicant. He submits that the vehicle is not owned by the applicant. Lastly, it is submitted that Rohit Kumar Sahu who is stated to be the driver of the said vehicle has already been granted bail by this Court in MCRC 656 of 2017.
4. On the other hand, learned counsel for the State, opposing the bail

application, submits that according to the case of the prosecution, the vehicle owned by the applicant and driven by Rohit Kumar Sahu was used for transportation of cannabis which was seized from the house of Manoj, therefore, all are equally involved.

5. Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration that cannabis was seized from the house of Manoj Kumar Sahu and driver Rohit Kumar Sahu has already been granted bail by this Court and considering that investigation is complete, charge sheet has been filed and the applicant is not likely to abscond or tamper with the prosecution witnesses, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court, with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge