

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5589 of 2017

Dani @ Tuleshwar, S/o. Panchram Yadav, Aged About 42 Years, R/o. Village Hardi, Chowki, Adbhar, District Janjgir Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through: The Station House Officer, Police Station - Malkharouda, District Janjgir- Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vinod Kumar Tekam, Advocate

For Respondent : Mr. S.K.Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.11.2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.87/2017 registered at Police Station- Malkharouda, District Janjgir-Champa (C.G.) for the offence punishable under Section 20(B) of N.D.P.S. Act.
2. As per the prosecution case, on a raid being conducted on 04.06.2017 from the possession of the applicant, 2 Kg Cannabis were seized while it was transporting.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated, he is in jail since 04.06.2017, charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Specially taking into quantity of the Cannabis seized and considering the fact that charge sheet has been filed and the applicant is in jail since 04.06.2017, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. 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.

Sd/-
(Goutam Bhaduri)
Judge