

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5645 of 2017

1. Shailendra Kumar Rautiya, S/o. Tabaklal Rautiya, Aged About 31 Years, Caste Satnami, R/o. Village Kauwatal, Police Station Sarangarh, District Raigarh, Chhattisgarh.
2. Bhupendra Bhardwaj, S/o. Shival Bhardwaj, Aged About 37 Years, R/o. Village Godam, Police Station Sarangarh, District Raigarh, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Dabhra, District Janjgir Champa, Chhattisgarh.

---- Respondent

For Applicants : Mrs. Nand Kumari Kashyap, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13.12.2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.199/2017 registered at Police Station- Dabhra, District Janjgir-Champa (C.G.) for the offence punishable under Section 20(B)(II)(B) of the N.D.P.S.Act.
2. As per the prosecution case, on a raid being conducted on 14.06.2017 from the possession of the applicants along-with other co-accused total 2.150 Kg Cannabis were seized; thereby the offence has been committed.
3. Learned counsel for the applicants would submit that the Cannabis were not seized from the person of the applicants, the applicants have been falsely implicated. He further submits that the charge sheet in this case has been filed, no further

investigation is necessary and the applicants are in jail since 14.06.2017; therefore, the applicants 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 the quantity of Cannabis seized and the fact that charge sheet has been filed, no further investigation is necessary and the applicants are in jail since 14.06.2017, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge