

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6121 of 2017

Dheeraj Jaiswal S/o Late Sachchidanand Jaiswal, Aged About 28 Years R/o Mahalpara, Baikunthpur, District Korea Chhattisgarh. ---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Baikunthpur, District Korea Chhattisgarh ---- **Respondent**

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

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

Order On Board

27/11/2017

Heard.

1. The applicant has been arrested in connection with Crime No.204 of 2017 registered at Police Station- Baikunthpur, District Korea (C.G.) for the alleged commission of offence under Section 20(B) & 22 of Narcotic Drugs and Psychotropic Substance Act.
2. Case of the prosecution is that from the possession of the applicant, 2.5 kg. of ganja and certain quantity of deconjugated cough namely as 'Eskuf' was seized.
3. Learned counsel for the applicant submits that he has not committed any offence and he has falsely implicated and false seizure has been made. He further submits that the investigation is complete, charge sheet has been filed and there is no material to show that the applicant is likely to abscond or tamper with the prosecution witnesses, therefore, he may be granted bail.
4. On the other hand, learned State counsel opposes the prayer and submits that from the material on record and case diary, the applicant was found

selling eskuf cough syrup and possess of 64 bottles along with 2.5 kg of ganja, therefore, prima facie case is made out.

5. Considering the submission of learned counsel for the parties, quantity of ganja, the period during which the applicant remained in jail, investigation is complete, charge sheet has been filed and he has no criminal antecedent and there is no material to show that 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.25,000/- 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