

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8452 of 2016

1. Hari Singh Chouhan, S/o. Bhukhan Singh Chouhan, aged about 42 years, R/o. Pendrikala, Police Station – Kunda, Tahsil – Pandariya, District- Kabirdham (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : S.H.O., Police Station – Kunda, District – Kabirdham (C.G.)

---- Respondent

For Applicant	:	Mr. Manoj Mishra, Advocate
For Respondent/State	:	Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.195/2016, registered at Police Station – Kunda, District – Kabirdham (C.G.) for the offence punishable under Section 20(B) of N.D.P.S. Act.
2. Case of the prosecution, in brief, is that on 29.11.2016 on raid being conducted from the possession of the applicant 900 Gram Cannabis was recovered. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and the Cannabis was not seized in person from the present applicant. It is further submitted that charge-sheet in this case has been filed and no further investigation is required, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Charge-sheet appears to have been filed. As alleged from the possession of the applicant 900 Gram Cannabis was recovered. Considering the facts and circumstances of the case and further taking into the quantity of the Cannabis so seized i.e. 900 Gram, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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 today.

Sd/-
(Goutam Bhaduri)
Judge