

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8511 of 2016

- Kamal Sahu S/o Tulsiram Sahu, Aged About 28 Years R/o Village Jairam Nagar, Police Station Masturi At Present Housing Board Colony, Quarter No. L I G 9, Khamtarai, Police Station Sarkanda, District Bilaspur Chhattisgarh
--- Applicant

Versus

- State of Chhattisgarh through Station House Officer, Police Station Sarkanda District Bilaspur Chhattisgarh ---
Respondent

For the applicant	:	Mr. Shailendra Dubey, Advocate
For the Respondent	:	Mr. Aupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10.01.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 716/2016 registered at P.S. Sarkanda, Bilaspur, Distt. Bilaspur (C.G) for the offence punishable under Section 20(B) of the Narcotic Drug and Psychotropic Substances Act, 1985.
2. As per the prosecution case, on 20.10.2016 on receipt of information that the applicant is selling contraband Ganja in his premises, a raid was conducted and from the possession of the applicant 3 Kgs., of Ganjah was recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the house in which the seizure was made was not in exclusive possession of the present applicant and even the said seizure was also not made in person from the applicant. It is also submitted that

the charge sheet has been filed, no further investigation is necessary, therefore the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and documents.
6. Considering the nature of recovery and the quantity of *Ganja* which was seized as also the fact that the charge sheet has been filed and no further investigation is necessary, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**