

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8628 of 2016

- Ramavatar Yadav S/o Sendhwa Yadav Aged About 38 Years R/o Village Semarchuva, Police Station Jarhagaon Tahsil & District Mungeli, Chhattisgarh, --- **Petitioner**

Versus

- State of Chhattisgarh Through Police Station Pathriya, District-Mungeli, Chhattisgarh. --- **Respondent**

For the applicant	:	Mrs. Kiran Jain, Advocate
For the Respondent	:	M. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.01.2017

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. 417/2016 registered at P.S. Pathriya, District Mungeli (C.G) for the offence punishable under Section 20-B of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per the prosecution case, on 04.12.2016 the police had a secret information that the applicant was carrying contraband Ganja in his motorcycle and on a raid being made, 1200 grams of Ganja was recovered from the possession of the applicant.
3. Learned counsel for the applicant submits that no seizure was made in person from the applicant and it has been seized from the motorcycle, therefore, he has been falsely implicated. She further submits that as the alleged seizure has already been made, no further investigation is necessary and the applicant is in jail since 04.12.2016 and looking to

the quantity of Ganja, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the case diary. Considering the quantity of Ganja recovered from the applicant i.e., 1200 grams as also the facts that the seizure having already been made, no further investigation is necessary and the applicant is in jail since 04.12.2016, I am inclined to allow this bail application.
6. 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**