

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 434 of 2017**

1. Preetam Das Padwar S/o Latel Das, Aged About 45 Years R/o Village Kosamsara, Police Station Kasdol, District Balodabazar Bhatapara Chhattisgarh
 2. Om Prakash Manikpuri, S/o Girvar Das, Aged About 21 Years R/o Village Kosamsara, Police Station Kasdol, District Balodabazar Bhatapara Chhattisgarh
- Applicants**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Kasdol, District Balodabazar Bhatapara Chhattisgarh **--- Respondent**

For the applicant	:	Mr. Yogesh Kumar Chandra, Adv.
For the Respondent	:	Mr. Aupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****02.02.2017**

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No.488/2016 registered at Police Station Kasdol, Distt. Balodabazar-Bhatapara (C.G) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, on an information being received on 03.12.2016 that the applicants were carrying cannabis on motorcycle bearing No.C.G.04 HL-896 the police intercepted the said vehicle and from the joint possession of the applicants, 1 Kg., and 300 grams of Ganja was recovered.
3. Learned counsel for the applicant would submit that the applicants have been falsely implicated in this case and the recovery was not made in person from the applicants. He further submits that the earlier bail application was

dismissed as withdrawn with liberty to repeat the same after the charge sheet is filed. It is submitted that now the charge sheet has been filed; no further investigation is necessary and the applicants are in jail since 04.12.2016, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and documents. Considering the quantity of cannabis i.e., 1300 grams allegedly recovered from the joint possession of the applicants as also the fact that the charge sheet has been filed and the applicants are in jail since 04.12.2016, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They 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**