

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5785 of 2017

Gopal Kumar S/o Jaypal Singh, Aged About 19 Years R/o Umariya,
District Aligarh, Uttar Pradesh (In Order Sheet Wrongly Mentioned
Late Jai sawal Chandra).

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Nagarnar, District
Bastar, Chhattisgarh.

---- Respondent

For applicant - Shri Alok Kumar Dewangan, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/09/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 23/08/2016 vide M.Cr.C. No.3608 of 2016.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.21/2016 registered in Police Station Nagarnar, District Bastar, C.G. for offence punishable under section 20 (b) of the N.D.P.S. Act.
3. As per the prosecution case, on 7/02/2016 on an information received that the applicant alongwith co-accused were carrying contraband ganja in bus bearing registration no.C.G.19F/0702, as such the said bus was intercepted and on a search being conducted, from the applicant 1kg 900 gms of cannabis were recovered.
4. Learned counsel for the applicant submits that the applicant is in jail since 8/02/2016 and only 1kg 900 gms of cannabis were seized from the applicant and the trial is not complete, IO has not turned up, therefore the

applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Considering the fact that applicant is in jail since 8/02/2016 and it is not disputed by the State counsel that only 1kg 900 gms of cannabis were seized from the applicant. Taking into period of detention as against the quantity of cannabis so seized, this court is inclined to release the applicant on bail.

7. Accordingly, the second bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE