NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 196 of 2018

Virendra Patel S/o Kashiram Patel, aged about 23 years, R/o Singhanpur, Police Station Basna, District Mahasamund (CG)

----Applicant

Versus

The State of Chhattisgarh, through the Station House Officer, Police of Police Station, Bilaigarh, District Baloda Bazar (CG)

---- Non-applicant

For Applicant	:	Mr. A. S. Rajput, Advocate.
For Respondent/State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

05/03/18

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.391/2017, registered at Police Station- Bilaigarh, District Baloda Bazar (CG), for the offence punishable under Sections 20(B) of Narcotic Drugs and Psychotropic Substance Act, 1985.

2. Case of the prosecution, in brief, is that on 05.11.2017, about 1 kg of cannabis (ganja) was found in possession of the present applicant.

3. Learned counsel for the applicant would submit that the applicant has falsely been implicated in crime in question. He would further submit that only small quantity of cannabis was found in possession of the present

applicant. He would also submit that the applicant is in jail since 05.11.2017 and charge-sheet has already been filed, therefore, he may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; role of the present applicant; statement of the applicant that only a small quantity of cannabis was found in his possession and the fact that he is in custody since 05.11.2017, 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 the 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.

1.

Sd/-

(Sanjay K. Agrawal)
Judge

Priyanka