

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 398 of 2018**

Ramnath Yadav S/o Tijau Yadav, aged about 50 years, R/o
Piparkhuta, Police Station Lalpur, District Mungeli (CG)

---- Applicant**Versus**

State of Chhattisgarh through Station House Officer, Police Station
Lalpur, District Mungeli (CG)

---- Respondent

For Applicant	:	Shri C. P. Lahrey, Advocate
For Respondent/State	:	Shri Lav Sharma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12/03/2018**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 16.12.2017 in connection with Crime No. 296/2017 registered at Police Station Lalpur, District Mungeli (CG) for the offence punishable under Section 20 (a) of the Narcotics Drugs and Psychotropic Substances Act.

2. The allegation as per the prosecution against the present applicant is that he was found to be in possession of 2 cannabis plants in his Courtyard.

3. Counsel for the applicant submits that the applicant is a rustic villager and he was not aware of the said plant and it has grown up of its own. He submits that even otherwise the weighment of the two Ganja plants altogether was 1.8 Kg. which itself shows that it is a small quantity. Thus, prayed for grant of bail to the applicant.

4. State counsel, however, opposing the bail application submits that it is an offence under the provisions of NDPS Act and taking into

consideration the nature of offence, the applicant does not deserve to be released on bail.

5. Considering the facts and circumstances of the case, more particularly taking note of the allegation that there were two plants of Ganja found in the Courtyard of the applicant, this Court is of the opinion that it is a fit case for grant of bail.

6. Accordingly, the application for grant of bail is allowed. It is directed that the present Applicant will 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 before the said Court as and when directed.

**Sd/-
(P. Sam Koshy)
JUDGE**