

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.760 of 2018**

Sonwa Prajapati, S/o Shri Gayadin, aged about 50 years, R/o Village Chhatan, Police Station Fasterpur, District Mungeli, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through Station House Officer Police Station Fasterpur, District Mungeli, Chhattisgarh

---- Respondent

For Applicant	:	Shri Anish Tiwari, Advocate
For Respondent/State	:	Shri R.K. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****4.4.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the Applicant who has been arrested in connection with Crime No.14 of 2017 registered at Police Station Fasterpur, District Mungeli for offence punishable under Section 20(a) of the Narcotic Drugs and Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on the information received from an informant on 11.11.2017, the police raided the house of the Applicant and allegedly seized 5 pieces of Ganja Trees weighing 2.3 Kgs. from *badi* (fence) situated near the Applicant's house and arrested the Applicant for the offence punishable under Section 20(a) of the Narcotic Drugs and Psychotropic Substances Act.
3. Learned Counsel appearing for the Applicant submits that there is nothing on record to show that the land from where the said Ganja

Trees were seized is in exclusive possession of the Applicant. He has been falsely implicated in the case. He is in custody since 11.11.2017. Charge-sheet has been filed against him. Trial will take a long time. Therefore, he may be released on bail.

4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard Learned Counsel appearing for the parties and perused the entire case diary with due care.
6. Having regard to the facts and circumstances of the case, particularly, the facts that the weight of the Ganja Trees seized was only 2.3 Kgs., charge-sheet has been filed against the Applicant, he is in jail since 11.11.2017 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to enlarge the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one solvent surety of the like sum to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
JUDGE