

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1131 of 2018**

Deepak Tiwari @ Kodu S/o Bharat Prasad Tiwari, Aged about 40 years, R/o Village Ward No.12, Thankhamhariya, Tahsil & Police Station Thankhamhariya, District Bemetara (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through : The Station House Officer, Police Station Thankhamhariya, District Bemetara (C.G.)

---- Non-applicant

For Applicant	:	Mr. V.A. Goverdhan, Advocate.
For Non-applicant/State	:	Mr. Ashish Surana, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****09/04/18**

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.14/2018 registered at Police Station Thankhamhariya, District Bemetara (C.G.) for the offence punishable under Section 20-B of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. Case of the prosecution, in brief, is that 1.170 Kg. of Ganja was recovered from the possession of the applicant and thereby committed the aforesaid offence.

4. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in crime in question. He is in jail

since 28-01-2018, therefore, he may be released on regular bail.

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

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

7. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of the offence, it is above small quantity and the fact that the applicant is in custody since 28-01-2018, this Court is of the opinion that present is a fit case in which the applicant should be enlarged on regular bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. 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.

Sd/-
(Sanjay K. Agrawal)
Judge