

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1274 of 2018**

Yadram Sahu (Wrongly Mentioned As Yadram In Order Sheet) S/o.- Lt. Shri Sukhpal Sahu, Aged About 45 Years, R/o.- Village Deori P.S. Rajim District- Gariyaband, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- P.S. Rajim, District- Gariyaband, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pragalbha Sharma, Advocate

For State/respondent : Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**17/04/2018**

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.242/2017, registered at Police Station – Rajim, District – Gariyaband (C.G.), for the offence punishable under Section 20 (b) of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 22.11.2017. No case is made out against him. Charge-sheet has been filed after completion of investigation. There is no evidence on

this point the place from which the cannabis plants were seized belonged to or was in possession of this applicant. Therefore, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, six cannabis plants were found in the Courtyard behind the old shop of the applicant, which was seized by the police personnel of Crime Branch, Gariyaband.
6. Considered on the submissions made and the contents of the case diary. Considering the entire material present in the case diary and further taking into consideration the facts and circumstances of the case and the fact that the applicant is in jail since 22.11.2017, 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 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge