

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7468 of 2017**

Baisakhu Dhruw S/o Shri Tarachand Dhruw, Aged About 29 Years R/o Derapara, Near Adwani School, Police Station Khamtarai, Raipur District Raipur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Office, P. S. Khamtarai, District Raipur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Kishore Narayan, Advocate.
For the Respondent/State	:	Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****20.02.2018**

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.444 of 2017, registered at Police Station Khamtarai, District – Raipur, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 11.9.2017 and he has been falsely implicated in this case. Allegedly, the said ganja was seized from the courtyard of the applicant, which has no connection with this applicant. The applicant is a local resident of District Raipur and he is ready to abide by all the conditions that may be imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. The facts of the case are that on the date of incident on the basis of secret information received, the police personnel of P.S. Khamtarai, District Raipur, Chhattisgarh, seized 5.277 kg of ganja from the courtyard of the applicant which was kept in a gunny bag. On the basis of the alleged possession of ganja with this applicant, the case has been registered against him.

6. Considering the submissions made and the contents of the case diary, taking into consideration the fact that the applicant is a local resident of District Raipur and there shall be no difficulty in his availability during trial, I am of the considered opinion that the applicant deserves to be released on 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 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/-

(Rajendra Chandra Singh Samant)
Judge