

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.156 of 2018**

- Anis Khan Qureshi @ Bablu S/o Abdul Zahir, Aged About 21 Years R/o Bazarpara, Baloda, Police Station Baloda, District Janjgir Champa Chhattisgarh, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kusmunda District Korba Chhattisgarh , Chhattisgarh

---- Respondent

For Petitioner	:	Shri Dharmesh Shrivastava, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****09/03/2018**

Heard.

1. The applicant in this bail application has been arrested in connection with Crime No.83 of 2017 registered in Police Station- Kusmunda, Outpost- Hardi Bazar, District- Korba (C.G.) for alleged commission of offence under Section 20-B of the NDPS Act.

2. Case of the prosecution, in brief, is that from the possession of the applicant, ganja in the quantity of 10 k.g. & 34 grams respectively have been recovered.

3. Learned counsel for the applicants would submit that the applicant has been falsely implicated and false seizure has been made. Seizure witnesses have been examined but they have not supported the case of the prosecution and turned hostile. Therefore, at this stage, when the applicant has remained in jail since 12-05-2017 and trial has not been concluded, the applicant may be

granted bail.

4. On the other hand, learned counsel for the State would submit that even though the prosecution witnesses may not have supported the case, the Investigating Officer of the case is yet to be examined. Therefore, at this stage, the applicant may not be released on bail.

5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the quantity of ganja alleged to be recovered from the applicant, the period during which the applicant has remained in jail and the submission that seizure witnesses have turned hostile, the application is allowed.

6. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court, with following further conditions:

- (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

SD/-

(**Manindra Mohan Shrivastava**)

J U D G E