

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4594 of 2018**

Sushil Chandrakar S/o Manglu Chandrakar Aged About 35 Years R/o- Near Govt. Toilet, Rajiv Nagar Ward No. 2 P.S.- Durg, District- Durg, District :
Durg, Chhattisgarh **--- Applicant**

Versus

State of Chhattisgarh through- Police Station Pulgaon, District- Durg,
Chhattisgarh. **--- Respondent**

For Applicant	:	Shri Arvind Dubey, Advocate
For Respondent/State	:	Shri S.R.J. Jaiswal, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****18-07-2018**

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 on 24.03.2018 in connection with Crime No.104/2018 registered at Police Station Pulgaon, District Durg (CG) for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, when a raid being conducted on 24.3.2018, from the motorcycle bearing registration No.CG-07-AC-2128, 2 K.G. & 800 gms of cannabis was recovered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the cannabis was not seized in person from the applicant. It is also submitted that similarly placed accused Tinku @ Pintu has been enlarged on bail by this Court in M.Cr.C.No. 02.07.2018 relating to the same crime number. He further submits that the charge-sheet

in this case has been filed and no further investigation is necessary and the applicant is in jail since 23.03.2018 therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail. However, he do not dispute the fact that similarly placed accused Tinku @ Pintu has been enlarged on bail by this Court in connection with the same crime number.
5. Considering the the quantity of the cannabis so seized as also the fact that the charge sheet has been filed and the applicant is in jail since 24.03.2018 and similarly placed accused has been enlarged on bail by this Court, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Cc as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**