

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7417 of 2018**

Manbhavan @ Monu Patel S/o Omprakash Patel, Ward No.02,
 Ramnagar, Thana- Ramnagar, District- Satna, Madhya
 Pradesh. --- **Petitioner**

Versus

State of Chhattisgarh through Police Station - Nagarnar,
 District : Bastar(Jagdalpur), Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Vikash Shrivastava, Advocate.
For the Respondent	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****22.10.2018**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 18/2016 registered at Police Station Nagarnar, Distt. Bastar (C.G) for the offences punishable under Sections 20(B) of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, when the applicant was travelling in a Bus on 06.02.2016 he was found in possession of 22 Kgs., along-with other accused and the said Ganja was recovered.
3. Learned counsel for the applicant submits that the applicant is in jail since 16.02.2016 and no substantial progress has taken place in trial. He further submits that as per the seizure memo, 13 Kgs., of Ganja was recovered from the applicant and the seizure witnesses P.W.2 & P.W.3 have turned hostile, therefore, the present applicant may be

released on bail.

4. Per contra, learned State Counsel opposes the bail application.
 5. Considering the fact that the applicant is in jail since 16.02.2016 and looking to the period of custody and quantity of Ganja allegedly recovered from the applicant as also the fact that the seizure witnesses have not supported the case of prosecution, I am inclined to allow this bail application.
 6. Accordingly, the bail 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 concerned trial Court for his appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**