

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6385 of 2017**

Bhikhu Sahu S/o Santram Sahu Aged About 24 Years R/o Kumhi,
Police Station Berla, District Bemetara, Presently Residing At
Dewangan Bhavan, Gudhiyari, District Raipur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Gudhiyari Raipur, District Raipur Chhattisgarh.

---- Respondent

For the Applicant : Shri C.R. Sahu, Advocate.
For the Respondent/State : Shri Vivek Singhal, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.01.2018**

Heard.

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. 223 of 2017, registered at Police Station Gudhiyari, Raipur, 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 31.08.2017 and the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. 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. It is submitted that the applicant was found in possession of 2 kg 600 gm of ganja (narcotic substance) and the offence is grave in nature. Hence, the applicant is not entitled for grant of bail.

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

5. The police personnel from police station Gudhiyari, Raipur received information that a person is selling ganja (narcotic substance), the applicant was apprehended and searched and he was found in possession of 2 kg 600 gm of ganja (narcotic substance).

6. Considering the submissions and the contents of the case-diary and taking into consideration the fact that the applicant is a local resident of District Raipur and he is in jail since 31.08.2017 as also his appearance can be ensured by enforcing certain conditions, this application deserves to be allowed.

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 his furnishing a personal bond in the sum of Rs.25,000/- with one local 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

Nimmi