

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7846 of 2018

Jaiprakash S/o Late Shyamlal Aged About 32 Years R/o Ward No.3,
Chanwaridand, Police Station Manendragarh, District : Koriya
(Baikunthpur), Chhattisgarh **--- Petitioner**

Versus

State of Chhattisgarh through Station House Officer, Police Station
Manendragarh, District : Koriya (Baikunthpur), Chhattisgarh
--- Respondent

For the applicant : Mr. D. N. Prajapati, Advocate
For the Respondent : Mr. D. R. Minj, Dy. Govt. Advocate

Hon'ble Shri Justice GOUTAM BHADURI

Order on Board

30.10.2018

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.233/2018 registered at P.S. Manendragarh, Distt. Korea (C.G) for the offence punishable under Section 20(B)(ii)(c) of the Narcotic Drugs & Psychotropic Substances Act, 1985.
2. As per the prosecution case, on 02.08.2018 the police had a secret information that the applicant was transporting contraband Ganja and on a raid being made, 2 Kgs., of Ganja was recovered from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as no seizure was made in person from him and the statutory provisions of NDPS Act were not followed. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application.

5. Perused the case diary and documents.
6. Considering the facts and circumstances of the case especially the fact that the charge sheet has been filed, no further investigation is necessary and the applicant is in jail since 02.08.2018 and further looking to the quantity of cannabis recovered from the applicant i.e., two kgs, I am inclined to allow this bail application.
7. 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.
CC as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**