

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8162 of 2018**

Lokesh Kumar Choudhary, S/o Shri Dwarika Choudhary, Aged about 30 years, R/o Village Sirve, Post Jaratarai, P.S.- Bhakhara, District Dhamtari (C.G.)

----Applicant**Versus**

State of Chhattisgarh- Through- Police Station – Bhakhara, Distt. Dhamtari (C.G.)

---- Non-applicant

For Applicant	: Shri C.R. Sahu, Advocate.
For State	: Shri Adhiraj Surana, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****31/10/2018**

Heard.

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 209 of 2018 registered at Police Station – Bhakhara, District Dhamtari (C.G.) for the offence punishable under Sections 20(B)(2)(ga) of the Narcotic Drugs and Psychotropic Substance Act, 1985.
2. Case of the prosecution, in brief, is that 1.100 kg. of ganja was seized from the possession of the applicant and, thereby the applicant has committed the aforesaid offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has falsely been implicated in the crime in question; and even otherwise it is near to the small quantity prescribed under the law and, therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. Taking into consideration the facts & circumstances of the case; further considering the facts that applicant is in jail since 13.09.2018; and the charge sheet has already been filed and the fact that as per provisions contained in the DPS Act, quantity of ganja seized from the applicant is small quantity, this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

6. Accused/applicant is directed to be released on bail on his executing a personal bond in the 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 to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

