

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr. C No. 9133 of 2018**

Manoj Sahu, S/o Shri Achche Lala Sahu, aged about 27 years, By Caste- Teli, R/o Village- Adharkapa, P.S.- Kotwali Katani, Civil & Revenue District Katani (M.P.) (In jail)

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer,
Police Station Devendranagar, Distt. Raipur (C.G.)

---- Respondent

For Applicant	:	Shri Sunil Sahu, Advocate.
For Respondent /State	:	Shri Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Gautam Chourdiya**Order On Board****19/12/2018***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. 201/2018 registered at Police Station – Dvendranagar, Distt. Raipur (C.G.) for the offence punishable under Section 20 (B) of the Narcotic Drugs & Psychotropic Substances Act, 1985.*
- 2. Case of the prosecution, in brief, is that 4.700 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. *I have heard learned counsel appearing for the parties and perused the case diary.*

6. *Taking into consideration the facts & circumstances of the case; further considering the facts that applicant is in jail since 17.10.2018; and the fact that as per provisions contained in the NDPS Act, quantity of ganja seized from the possession of 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.*

7. *Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.50,000/- with two sureties 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/-

(Gautam Chourdiya)
V. Judge