

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9747 of 2018

- Maansingh Sahu S/o Late Bisahu Ram Sahu Aged About 56 Years R/o Village Khorpa ,bhatapara , Police Station Abhanpur District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Abhanpur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant	: Ms Reena Singh, Advocate
For State	: Shri Dhiraj Wankhede, Government Advocate

Hon'ble Shri Justice Parth Prateem Sahu

Order on Board

20.12.2018

1. The applicant has filed this bail application under Section 439 of the Code of Criminal Procedure, 1973 (in short 'the Code') for grant of bail as he is in custody in connection with Crime No. 271 of 2018, registered at Police Station Abhanpur, district Raipur for the offence punishable under Section 20 (b) of NDPS Act.
2. Case of the prosecution in brief is that on 16.09.2018 on a secret information, Police stopped the motorcycle bearing No.CG-04-DV-6807 which was being driven by the present applicant and on search being made, Police seized 2 KG 100 gms contraband Ganja from the possession of present applicant on which he was arrested.
3. Heard learned counsel for the parties.

4. Learned counsel for the applicant submits that the applicant was not in exclusive possession of the alleged Ganja and he has been falsely implicated in this case. She further submits that applicant is aged about 56 years and is in jail since 16.09.2018, more than four months. There is no other criminal track record against him.

5. On the other hand, learned counsel for the State opposes the prayer for grant of bail and submits that the alleged Ganja has been seized from the motorcycle which was being driven by the present applicant.

6. Considered the submissions made by learned counsel for the parties and perused the records. Considering the quantity of Ganja seized from the possession of the applicant, his age and also looking to the detention period, and considering that there is no previous criminal track record of the present applicant, I am of the view that it is a fit case to enlarge the accused/applicant on bail. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 10,000/- (Rupees ten thousand only) with one surety in the like sum to the satisfaction of the trial Court concerned for his regular appearance before the said Court on each and every date given by the Court.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
V. JUDGE