

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7786 of 2020

Ramsagar Kashyap S/o Shri Shyam Lal Kashyap, Aged About 30 Years R/o.
Imli Duggu, Manikpur, Police Chowki- Manikpur, Police Station Kotwali,
Tehsil And District Korba Chhattisgarh ----- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer Kotwali, Police Chowki-
Manikpur, Korba, Tehsil And District Korba Chhattisgarh ----- **Respondent**

For Applicant	:	Shri Surfaraj Khan, Advocate
For Respondent/State	:	Smt. Hamida Siddiqui, Dy. A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

04/12/2020

Heard.

1. The applicant has been arrested in connection with Crime No.824 of 2020 registered at Police Station- Kotwali (Police Chowki-Manikpur), District Korba (CG) for the alleged commission of offence under Section 20(B) of Narcotics Drugs and Psychotropic Substance Act.
2. Case of the prosecution is that from the possession of the applicant, 2 kg. of ganja was recovered from the possession of the applicant and the applicant failed to satisfy the arresting authority that he had the valid authority of possession in response to notice under Section 91 Cr.P.C.
3. Learned counsel for the applicant would argue that he is a poor and innocent person and he has not committed any offence and false seizure has been made. He would next submit that the applicant is in jail since 02.10.2020 and further interrogation is no longer necessary as the entire proceeding of seizure have been completed. He would also submit that the applicant has no criminal antecedent of commission of similar offence. Lastly, it is submitted that in the event of grant of bail, the applicant undertakes to abide by any condition that may be imposed by this Court to ensure the applicant's presence. Therefore, the applicant may be granted bail.

4. On the other hand, learned State counsel opposes and submits that from the possession of the applicant, 2 kg. of ganja has been recovered and it is stated that charge-sheet has been filed on 02.11.2020. Therefore, the applicant may not be granted bail
5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the quantity of ganja which is alleged to have been seized from the possession of the applicant, charge-sheet has been filed and that there is no criminal antecedent of commission of similar offence and that the presence of the applicant can be ensured by imposing appropriate condition, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall 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/-
(Manindra Mohan Shrivastava)
Judge