

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7668 of 2020

Habib Khan S/o Late Firoj Khan Aged About 20 Years R/o Janta Colony,
House No.391, Police Station Gudhiyari, Raipur, District Raipur, Chhattisgarh
----**Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Gudhiyari, District Raipur, Chhattisgarh
---- **Respondent**

For Applicant	:	Shri A.D. Kuldeep, Advocate
For Respondent/State	:	Shri Lalit Jangde, Dy. G.A.

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

Order On Board

03/12/2020

Heard.

1. The applicant has been arrested in connection with Crime No.178 of 2020 (wrongly mentioned as Cr. Case No.178/20) registered at Police Station- Gudhiyari, District Raipur (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, ganja in the quantity of 1.600 kg. seized from the possession of the applicant.
3. Learned counsel for the applicant would submit that he has been falsely implicated and false seizure has been made and nothing has been seized from the possession of the applicant. He would further submit that the applicant is in jail since 12.10.2020, investigation is complete and charge-sheet has been filed and looking to the quantity of ganja alleged to be recovered from the possession of the applicant and that there is no criminal antecedent of commission of similar offence, the applicant may be granted bail.
4. On the other hand, learned State counsel opposes and submits that from the proceedings drawn by the Police Officer and recovery proceeding, a prima facie case of applicant having been found in unauthorized possession of

ganja is made out.

5. Having considered the submission of learned counsel for the parties, taking into consideration that the applicant is in jail since 12.10.2020, investigation is complete, charge-sheet has been filed and the quantity of ganja alleged to be recovered from the possession of the applicant and that there is no criminal antecedent of commission of similar offence, the application is allowed.
6. It is directed that the applicant shall be released on bail on 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