

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9177 of 2020**

- Radhekrishna Choubey S/o Shri Chandrika Choubey, Aged About 54 Years Occupation Service (Driver, Janpad Panchayat, Odgi), R/o Village Bhaiyyathan, Police Station And Tahsil Bhaiyyathan, District Surajpur Chhattisgarh

---- Applicant**Versus**

- The State Of Chhattisgarh Through S.H.O. Police Station Bhaiyyathan, District Surajpur Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. A.K. Prasad, Advocate
For Respondent-State	:-	Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**02/03/2021**

1. Heard.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.92/2020, registered at Police Station Bhaiyyathan, District - Surajpur C.G., for the offence punishable under Section 20 (A) of the NDPS Act.
3. Allegation against the applicant is that he was found growing

two cannabis (*ganja*) plants in his kitchen garden.

4. Learned State counsel would oppose the prayer for grant of bail. However, he would submit that the concerned SHO has not reported any previous antecedent of the applicant of his involvement in committing similar nature of crime.
5. Considering the quantity of contraband recovered from the applicant and also for the fact that charge-sheet has already been filed; he is in jail since 03.11.2020 i.e. for more than 3 months, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi