

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1783 of 2016

Prashant Chaubey @ Chhotu, S/o Vishnu Prasad Chaubey, aged about 28 years, R/o Village Sarkanda, P.S. Sarkanda, Tahsil & District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through the Police Station Torwa, District Bilaspur (C.G.)

---- Non-applicant

For Applicant:	Mr. Vikas Pandey, Advocate.
For Non-applicant:	Mr. Dheeraj Kumar Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

31/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.73/2016, registered at Police Station Torwa, Distt. Bilaspur, for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Case of the prosecution, in brief, is that the applicant was found in possession of 900 gms. of Ganja without authority of law.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. Ganja recovered from the applicant is less than small quantity and the offence alleged against the applicant is bailable. The applicant is in jail since 7-3-2016 and charge-sheet has been filed.
4. On the other hand, learned State counsel opposes the application.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case and Ganja recovered from the applicant is less than small quantity, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that applicant Prashant Chaubey @ Chhotu be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge