

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3045 of 2018**

Dashrath Ram Rajwade S/o Prahlad Ram Rajwade Aged About 35 Years R/o Village Gonda, P.S. Pratappur, Distt. Surajpur Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh, Through The P.S. Jhilmili, District Surajpur Chhattisgarh

----Non-applicant

For Applicant	:	Mr. Dashrath Prajapati, Advocate
For State	:	Mr. Prasun Bhaduri, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order on Board****30/05/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 20/2018 registered at Police Station Jhilmili, District Surajpur, Chhattisgarh for the offence punishable under Sections 20(b) of NDPS Act.
2. The present applicant is in jail since 07.02.2018 in connection with the aforesaid Crime number.
3. The case of the prosecution is that from the applicant and co-accused the Ganja kept in unauthorized possession was recovered.
4. The counsel for the applicant submits that the alleged seizure of Ganja from the applicant is false and he is not involved in the offence. He further submits that the investigation is complete, charge sheet has been filed and the applicant is in jail since 07.02.2018.

5. On the other hand, the State counsel opposing the bail application submits that from the possession of the applicant 3.691 Kgs of Ganja was recovered and therefore in this circumstances, a prima facie case is made out.
6. Taking into consideration the submissions of the learned counsel for the parties, particularly taking into consideration the total quantity of Ganja alleged to be recovered from the possession of the applicant and that he is in jail since 07.02.2018, investigation is complete, charge sheet has been filed and there are no criminal antecedent of commission of similar offence by the applicant, this Court is of the opinion that prima facie a fit case has been made out for grant of bail to the applicant. Accordingly, the present application for grant of bail is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with two local sureties in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.

Sd/-
(Manindra Mohan Shrivastava)
VACATION JUDGE