

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3582 of 2015**

- Ravi Kumar, S/o Asharam Shrivastava, Caste-Naiy, aged about-25 years, R/o- House No. R.Z 26P/69 Indra Park Gali No. 4 P.S.- Mangalpuri, New Delhi

---- Applicant

Versus

- State Of Chhattisgarh Through: SHO:- Bodhghat, District-Bastar (C.G.)

---- Non-applicant

For Applicant:	Shri Ishwar Jaiswal, Advocate.
For Respondent/State:	Shri Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****03/08/2015**

Heard.

(1) This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with crime No.285/2014 registered at Police Station Bodhghat, District Jagdalpur (Bastar) (C.G.) for the offences punishable under Sections 20(B), 2(B) of the NDPS Act & Sections 468, 48/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that present applicant was found in possession of 9.300 Kg. of *Ganja*, which he was carrying unauthorizedly for sale.

(3) Counsel for the applicant submits that the statutory compliance as required under the NDPS Act has not been complied with while making seizure of the alleged *Ganja* and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Having heard learned counsel for the parties, having regard to the facts and circumstance of the case and looking to the quantity of ganja and considering the facts that the applicant has to establish the fact of non compliance of the provisions contained in Section 20(B) of the NDPS Act during trial; and the trial is on advance stage, I am of the opinion that it is not a fit case in which the accused/applicant should be granted regular bail. Accordingly, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-