

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3821 of 2015**

- Gopal Yadav, S/o Samilo Yadav, aged about 23 years, R/o Village-Dayadera, P.S. Rengali, Distt. Jharsuguda (Odisha), Civil and Revenue Distt. Jharsuguda (Odisha)

---- Applicant**Versus**

- State Of Chhattisgarh Through: Police Station -Pusaur, Distt. Raigarh (C.G.)

----Non-applicant

For Applicant:	Mr. M.K. Sinha, Advocate.
For Respondent/State:	Mr. Siddharth Rathore, Deputy Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****10/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 74/2015 registered at Police Station Pusaur, Distt. Raigarh for the offence punishable under Section 20(B) of the NDPS Act.

(2) Case of the prosecution, in brief, is that present applicant was found in possession of 21 Kg. of *Ganja* unauthorisedly and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits applicant has falsely been implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 01.05.2015 and the charge sheet has already been filed 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 provisions contained in section 37(1)(b) of the NDPS Act, 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. However, the trial Court is directed to expedite the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

