

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6094 of 2015

1. Mohan Gupta, S/o. Ram Kisun, aged about 32 years, R/o. Bhatwahi, P.S. Lundra, District – Sarguja (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Station House Officer, Police Station – Lundra, District Sarguja (C.G.)

---- Respondent

For Applicant : Mr. Awadh Tripathi, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.81/2015, registered at Police Station – Lundra, District – Sarguja (Ambikapur) (C.G.) for the offence punishable under Section 22 of the Narcotic Drugs and Psychotropic Substance Act, 1985.
2. Case of the prosecution, in brief, is that on 03.07.2015, on secrete information received that the applicant is involving in the sale of illegal contraband and he is proceeding for sale of the same towards Raghunathpur Bus Stand. Thereafter, the police personnel proceeded and caught the applicant at Raghunathpur Bus Stand and on search found 10.850 grams brown sugar from the pocket of the applicant.
3. Learned counsel for the applicant would submit that three prime witnesses in this case have been examined and they have not supported the case of the prosecution. He would further submit that

the applicant is in jail since 03.07.2015 , therefore, he prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the fact that the Investigating Officer and other witnesses are still to be examined, I am not inclined to release the applicant on bail. However, the Trial Court is requested to expedite the trial.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Balram