

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6876 of 2015

1. Kamal Jangde S/o. Prem Lal, Aged about 22 years, R/o. Bhejaridih, Police Station Kharora, District Raipur (C.G.)
2. Shankar Gendre S/o. Malikram Gendre, aged about 24 years, R/o. Amera, Police Station and Tahsil Palari, Civil and Revenue District Baloda Bazar, Bhatapara (C.G.)

---- Applicants

Versus

State of Chhattisgarh Through :- The Station House Officer, Police Station Rajadevri, District Baloda Bazar, Bhatapara (C.G.)

---- Respondent

For Applicants : Mr. S.K. Guha, Advocate

For Respondent : Mr. Anant Bajpai, Penal Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 51/2015 registered at Police Station- Rajadevri, District – Baloda Bazar Bhatapara (C.G.) for the offence punishable under Sections 20(ख) of the Narcotic Drugs Psychotropic Substances Act.
2. As per the prosecution, the applicants were found to be in possession of 5 Kg of *Ganja* which they were carrying on their motorcycle and during the course of search it was found that they are in possession of the said contraband (Ganja). Subsequently, the case was registered u/s 20 B of NDPS Act and the present applicants were arrested on 05.11.2015 and since then they are in jail.

3. Counsel for the applicants submit that the applicants are innocent and they have been falsely implicated in this case. He further submit before seizure of contraband (Ganja) the provisions of NDPS Act was not followed by the prosecution, therefore, they may be enlarged on bail.
4. Per contra, State counsel opposes the prayer for grant of bail.
5. Perusal of the case diary would show that primaface it appears the contraband (Ganja) was recovered from the possession of the applicants and the matter is still under the investigation, I am of the opinion that it is not a fit case to release the applicant on bail.
6. Accordingly, the application for grant of bail is dismissed.

Sd/-

(Goutam Bhaduri)

Judge