

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3081 of 2015

1. Saroj Badhai s/o. Dashrath Badhai, aged about 40 years, r/o. Duari Bhukta, P.S. Aamabhouna (Orissa).
2. Mohanlal Yadav s/o. Chamra Yada, age 59 years r/o. Bade Hardi, Garjanpaathpara, P.S. Pussore, District Raigarh (CG).

---- Applicant

Versus

1. State of Chhattisgarh Through S.H.O. Pussore, Dist. Raigarh CG).

---- Respondent

For Applicants	:	Mr. Amit Kumar Sharma, Advocate.
For Respondent/State	:	Mr. Omprakash Sahu, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

6/7/2015

1. Applicants have moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who have been arrested on 19-3-2015 in connection with Crime No. 40 of 2015 registered at Police Station Pussore, District Raigarh (CG), for the offence punishable under Section 20 (B) of Narcotic Drugs & Psychotropic Substances Act, 1985.
2. The case of the prosecution is that present applicants were found in possession of 1 quintal and 370 grams of Ganja and thereby committed the aforesaid offence.
3. Learned counsel appearing for the applicants would submit that there is no evidence to connect the applicants with the crime in question, they have been falsely implicated in the case as seized Ganja was recovered from open place and the mandatory provisions have not been complied in the case by the prosecution and the

applicants are in jail since 19-3-2015, therefore, they may be released on bail.

4. On the other hand, learned State counsel opposed the bail application.
5. Taking into consideration the facts and circumstances of the case and further taking into consideration the huge quantity of ganja which was seized from the applicants, I am of the considered opinion that *prima facie* it is not a fit case where the applicants can be released on bail.
6. Accordingly, the instant M.Cr.C., is liable to be and is hereby rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

Raju