

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4780 of 2015**

Surjit Barmaiya, aged about 22 years, S/o Shri Madhoram Barmaiya, R/o Devnara, Ward No.2, Police Station & District Mandala (Madhya Pradesh)

---- Applicant**Versus**

State of Chhattisgarh, through SHO, Police Station Gariyaband, District Gariyaband (C.G.)

---- Non-applicant

For Applicant : Shri Vikram Singh, Advocate
For Non-applicant : Shri Neeraj Pradhan, Panel Lawyer for the State.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****07/09/2015****(1)** Heard.

(2) This is the second 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 on 09.06.2014 in connection with Crime No.96/2014, registered at Police Station Gariyaband, District Gariyaband, for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.

(3) The first bail application of the applicant was dismissed as withdrawn by order of this Court dated 20.11.2014 passed in M.Cr.C. No.5921/2014.

(4) Case of the prosecution, in brief, is that the present applicant was found in possession of 10 kgs of Ganja.

(5) Learned counsel appearing for the applicant submits that the applicant has not committed any such offence and he has been falsely implicated in the crime in question and therefore, the applicant may be released on bail.

(6) On the other hand, learned counsel for the State would submit that 10 kgs Ganja has been recovered from the possession of the present applicant.

(7) After hearing learned counsel appearing for the applicant, taking into consideration the facts and circumstances of the case, nature and gravity of the offence and looking to quantity of ganja i.e. 10 kilograms, which was seized from the possession of the applicant, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

(8) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-