

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.6870 of 2015**

Afsar Ali, S/o Shri Sarafat Ali, aged about 32 years, R/o Chhoti Railway Line Irani Daira Rajatalab Raipur, at present R/o BSUP Colony, Block No.25/27 Saddu, Police Station Vidhan Sabha Raipur, Civil & Revenue District Raipur (CG) ---- **Applicant**

Versus

State of Chhattisgarh, through Police Station Vidhan Sabha Raipur, District Raipur (CG) ---- **Non-applicant**

For Applicant : Shri Dheerendra Pandey, Advocate
For Respondent: Shri Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

01/12/2015**(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 06.06.2015 in connection with Crime No.100/2015, registered at Police Station Vidhan Sabha, Raipur, District Raipur, for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (incorrectly mentioned in the order as Section 25/27 of the Arms Act).

(3) The first bail application of the applicant was dismissed on merits on account of pendency of 08 criminal cases against the petitioner.

(4) Case of the prosecution, in brief, is that, applicant was found in possession of 1.250 Kgs Cannabis (Ganja) and thereby committed aforesaid offence.

(5) Learned counsel appearing for the applicant submits that the applicant is in jail more than six months, only on the quantum of 1.250 kgs Ganja and therefore, applicant may be released on bail.

(6) Learned State counsel would oppose the prayer for grant of bail.

(7) I have heard learned counsel appearing for the parties and perused the case diary.

(8) Taking into consideration the facts and circumstances of the case is that the pendency of 08 criminal cases against the petitioner and punishments prescribed for having ganja quantity lesser than commercial quantity but greater than small quantity taking into account prescribed punishment in 20(ii) in (B) of Act and further taking into consideration the quantity of Ganja seized from the possession of applicant

and his criminal antecedents, I am of the opinion that it is not a fit case in which the accused/applicant should be granted regular bail. Accordingly, the application is dismissed.

(9) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-