

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5814 of 2015

Amit Kumar Baranwal S/o Shri Virendra Kumar, Aged About 23 Years
Caste- Baniya, R/o Nawagarhi, Thana Civil Line, Distt. Gaya (Bihar)

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer Jashpur, Distt.
Jashpur, Chhattisgarh

---- Respondent

For applicant - Shri N.K. Malviya, Advocate.
For Respondent/State – Shri Vinod Tekam, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/11/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 264/2015 registered in Police Station Jashpur Civil District Jashpur Revenue District Jashpur for offence punishable under section 22 of the NDPS Act.
2. As per the prosecution case, on a secret information received the Police Jashpur has intercepted one Mahindra bus bearing No. C.G. 04 E 8521 near Barrier Main Road, Ghamariya Chowk and on search being made 600 bottles of 100 ml each Korex syrup and 20 bottles of 100 ml each of Tosex syrup was recovered from the dickey of the bus which were kept in six cartoons. Further on interrogation it was revealed that such goods were being carried by the applicant.
3. Learned counsel for the applicant submits that neither the applicant was transporting the goods nor he was in exclusive possession of the goods as the goods were kept in the dickey of the bus, therefore

possession cannot be attributed to the applicant.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perusal of the case diary shows that applicant was caught hold with the narcotic goods. Perusal of the case diary shows that on being served with the notice no valid documents were produced. Matter is still under investigation and the seized goods prima facie falls within definition of narcotic goods, therefore this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE