

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6118 of 2015

Sona Khan, S/o. Mohammad Yaqub Khan Musalman, Aged About 26 Years, R/o. Takhatpur, Musalman Mohalla, Police Station Takhatpur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Takhatpur, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Vipin Singh, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.136/2015 registered at Police Station- Takhatpur, District Bilaspur (C.G.) for the offence punishable under Section 20(b) of Narcotic Drugs Psychotropic Substance Act.
2. Case of the prosecution, in brief, is that on 21.05.2015, on a raid being made, the police has recovered 1.600 kg contraband Ganja from the possession of the applicant near Maniyari river and thereafter the applicant was arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and seizure has not been made from the exclusive possession of the applicant, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail. He would further submit that to the credit of the applicant already four cases of NDPS Act and other criminal cases under different sections of IPC were registered, which are pending.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the evidence, case diary and seizure made and further considering the past antecedents of the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge