

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6126 of 2015

1. Damru Patel, S/o. Shri Motiram Patel, aged about 45 years, R/o. Village – Chikhali, Thana- Kasdol, Civil & Revenue District – Balodabazar-Bhatapara (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Station House Officer, Kasdol, Civil & Revenue, District – Balodabazar-Bhatapara (C.G.)

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocate

For Respondent/State : Mr. Anil S. Pandey, 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, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.426/2015, registered at Police Station – Kasdol, District – Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 20-B of the Narcotic Drugs and Psychotropic Substance Act.
2. Case of the prosecution, in brief, is that on 17.10.2015, on secrete information received that the applicant is involving in the sale of illegal contraband Ganja. Thereafter, the police personnel proceeded and on search recovered 1.400 kg contraband Ganja from the house of the applicant.
3. Learned counsel for the applicant would submit that the applicant has been wrongly inculpated in the crime and he is innocent person. He would further submit that the house where from alleged contraband

Ganja has been seized is not in exclusive possession of the applicant. He would further submit that the applicant is in jail since 17.10.2015, therefore, he prays that he may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the seizure made from the applicant, and the fact that the matter is still under investigation, I am not inclined to release the applicant on bail at this stage.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Balram