

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6741 of 2015

- Arbal Ansari S/o Usman Anasari Aged About 45 Years R/o Ramnagar Kala (Dhanridharpara), Chowki Ganesh Mod. P.S. Balramur, Distt. Balramur- Ramanujganj Chhattisgarh, Permanent Addresss : Village Ugara, P.S. Bandariya, Distt. Gadwa – (Jharkhand) --- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Balrampur Distt. Balrampur Ramanujganj Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Jitendra Shrivastava, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 106/2015 registered at P.S. Balrampur, Distt. Balrampur Ramanujganj (C.G) for the offence punishable under Section 20-B of the NDPS Act.
2. Prosecution case, in brief, is that on a raid being conducted on 15.08.2015 30 cannabis plants were recovered from the possession of the land which was being cultivated by the applicant, therefore, the applicant was apprehended.
3. Learned counsel for the applicant submits that the applicant is permanent resident of village Ugara, District Gadwa (Jharkhand) and the land where from the cannabis plants were recovered were in joint possession of other family members. Therefore, he submits that the applicant has been falsely implicated in this case.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the documents and charge sheet of this case. Prima facie, it appears that the the applicant was in possession of the subject land where from recovery was made. The fact that the applicant is in joint possession of the subject land alongwith other family members is to be adjudicated by the trial Court after adducing evidence.
6. Taking into fact that 30 cannabis plants were seized from the subject land, this Court is not inclined to release the applicant on bail. Accordingly, this application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**