

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C. No. 6873 of 2015**

1. Omprakash, S/o. Bahurik Dhritlahare, aged about 23 years, R/o. Datan, Tahsil and P.S. - Palari, District – Baloda Bazar-Bhatapara (C.G.)

**----Applicant**

**Versus**

1. State Of Chhattisgarh, Through : Station House Officer, Police Station - Rajadevri, District – Baloda Bazar-Bhatapara (C.G.)

**---- Respondent**

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| For Applicant        | : Mr. S.K. Guha, Advocate         |
| For Respondent/State | : Mr. Vivek Singhal, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**14/12/2015**

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.52/2015, registered at Police Station – Rajadevri, District – Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 20(ख) of the N.D.P.S. Act, 1984
2. Case of the prosecution, in brief, is that on 04.11.2015 on information received, the applicant having been intercepted, from his possession 4 KG Cannabis were recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he has not committed any offence. He would further submit that the cannabis were not seized from the possession of the applicant. He would further submit that the provisions of NDPS was not followed before such alleged recovery. He

would further submit that the applicant in jail since 05.11.2015, therefore, he prays that considering the detention of the applicant, 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 case diary it appears that from the possession of the applicant, 4 kg Cannabis were recovered, therefore, I am not inclined to allow this application.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge