

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5018 of 2015**

- Sandeep Prasad Sahu, S/o Suraju Prasad Sahu, aged about 39 years, Caste-Sorhi, R/o Kulda, Police Chowki-Lodam, District Jashpur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Chowki – Lodam, District Jashpur, Chhattisgarh

---- Non-applicant

For Applicant: Mr. Lekhram Dhruv, Advocate.
For Respondent/State: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****23/09/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 218/2015 registered at Police Station Jashpur for the offences punishable under Section 15 & 18 of Narcotics Drug and Psychotropic Substances Act.

(2) Case of the prosecution, in brief, is that present applicant was found in possession of 4.792 kilograms of opium

unauthorisedly and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the offence in question as he has not committed any offence; applicant is in jail since 02.08.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) I have heard counsel for the parties and perused the case diary with utmost circumspection.

(6) Taking into consideration the facts & circumstances of the case; and looking to the quantity of opium and considering the provisions of Sections 37(1)(b) of the NDPS Act, I am of the opinion that it is not a fit case in which the accused/applicant should be granted regular bail. Accordingly, the bail application is rejected.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-