

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.645 of 2016

Baliram S/o Shri Dhaniram Patel, aged about 50 years, R/o Balgi Colony,
 Quarter No. D S 47, P.S. Bankimogra, Tehsil Katghora, District Korba
 (CG)

---Applicant

Versus

The State of Chhattisgarh Through Station House Officer, Police Station
 Kelhari, District-Koria (CG)

---Non-applicant

For Applicant	:	Mr. Shailendra Dubey, Advocate
For Non-applicant	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

06/04/2016

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.10/2015, registered at Police Station-Kelhari, District-Koria (CG), for the offence punishable under Section 20 (b) 2 (c), 27 (a) & 29 of the NDPS Act and Sections 103, 177, 130, 146, 196, 166 and 192 of the Motor Vehicles Act.

2. Case of the prosecution, in brief, is that 3 quintal 700 kg. of cannabis (ganja) was found in the vehicle owned by the present applicant on 27.4.2015.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence except the fact that the applicant is owner of the vehicle. He would further submit that vehicle was given on hire to Ashok Kispotta and Siyaram Yadav and they were involved in the offence in question, which is apparent from the statements of the

prosecution witnesses from where vehicle was financed. The applicant is in jail since 8.1.2015 and charge-sheet has already been filed, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit the applicant is registered owner of the vehicle and the said vehicle was found involved in transporting huge quantity of ganja.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, recovery of more than 3 quintal of ganja from the vehicle owned by the applicant and material available on record, I don't consider it fit case for grant of regular bail. Accordingly, bail application is rejected.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-