

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 585 OF 2016**

Abdul Atique S/o Abdul Rashid aged about 27 years R/o
Ward No.12 Talapara Bilaspur Police Station Civil Lines
Tahsil Civil and Revenue District Bilaspur (CG)

---Applicant**Versus**

State of Chhattisgarh, Acting through Officer-In-Charge
Police Station Lormi Revenue District Mungeli Civil
District Bilaspur (CG)

---Non-applicant

For Applicant	: Mr. K.A. Ansari, Sr. Advocate with Mr. Devesh G. Kela, Advocate
For-Non-applicant	: Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/02/2016**

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. 472/2015, registered at Police Station Lormi Revenue District Mungeli Civil District

Bilaspur (C.G.), for the offence punishable under Section 20B of the NDPS Act.

2. Case of the prosecution, in brief, is that, 10 Kg. Ganja was recovered by the police from the possession of present applicant.

3. Learned counsel for the applicant would submit that only one packet out of 10 packets was examined and it is said to be Ganja whereas other packets have not been examined. He would further submit that charge sheet has been filed and applicant is in jail since 26/10/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; recovery of 10 Kg. Ganja from the possession of the applicant and

taking into account the provisions contained in Section 37(1)(b) of the N.D.P.S. Act, I am not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge