

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3007 of 2016

Seetaram Shrivasa S/o Shri Kishan Lal Shrivasa Aged About 52 Years
Caste Shrivasa, R/o Village & Post Sindhi Colony, Kharsiya, Thana &
Tahsil Kharsiya, Civil & Revenue District Raigarh, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station
Chakradharnagar, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:- Mr. Sunil Sahu, Advocate
For Respondent/ State	:- Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

22/06/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 41/2016 registered at Police Station- Chakradharnagar, District – Raigarh (C.G.) for the offence punishable under Sections 20(B) of the Narcotic Drugs Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on 30.01.2016, a raid being made and 6 KG of cannabis were recovered from the motorcycle of the applicant, thereby the offence has been committed.
3. Counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the applicant was not in exclusive possession of the cannabis and it was

recovered from the motorcycle, therefore, the applicant may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Considering the quantity of seized cannabis, prima facie, it shows that the recovery of the seized cannabis were made from the possession of the applicant, this Court is of the opinion, that present is not a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge