

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3203 of 2016

Nandlal Singh @ Nand Kumar Singh, S/o. Haricharan Singh, Aged About 36 Years, R/o. Village : Rudav, Police Station : Chhatarpur, District Palamu (Jharkhand), Present Address : Mahamaya Para, Ambikapur, District Sarguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station : Tapkara, District Jashpur, Chhattisgarh .

---- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/06/2016

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.179/2015 registered at Police Station Tapkara, District Jashpur (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substance Act, 1985.
2. As per the prosecution case, on 15.12.2015, on information received that the Cannabis were being transported in a Car bearing No.C.G.04 B-8103, the Car was intercepted and thereafter from the Car total 72.500 Kg Cannabis were recovered.
3. Learned counsel for the applicant would submit that the applicant is only the registered owner of the vehicle and he was not present in the spot when the Cannabis were seized, therefore, he was not in conscious possession of the Cannabis. He further submits that

the charge sheet has been filed and the applicant is in jail since 14.03.2016, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. The defence raised by the applicant can be considered after evaluating the entire evidence, which cannot be appreciated at this stage, therefore, considering the quantity of the seized Cannabis, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge