

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4547 of 2016

1. Jafar Ali @ Jabo, S/o. Sheru Ali, aged about : 19 years, R/o. Irani Dera, City Station Near Kuwa, Pandri, Raipur, District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : P.S. Civil Line, Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	: Mr. Dashrath Kushwaha, Advocate
For Respondent/State	: Mr. Lav Sharma, Panel Lawyer .

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/08/2016

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.221/2016, registered at Police Station – Civil Line, Raipur, District- Raipur (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substances Act, 1985.
2. Case of the prosecution, in brief, is that on secret information received on 14.04.2016 that the applicant along with other co-accused are selling contraband in the Station, the applicant was intercepted and from their possession 5 kg 600 gram cannabis was recovered.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no recovery was made from the present applicant. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 14.04.2016. Therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and documents. Perusal of the document prima-facie shows that from the possession of the applicant 5.600 kg cannabis was recovered. Considering the quantity of the cannabis seized, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge