

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4516 of 2016

- Girdhari Yadav S/o Videshi Yadav Aged About 27 Years R/o Village Tora, Police Station Saria, District Raigarh Chhattisgarh.--- **Petitioner**

Versus

- State of Chhattisgarh Through S.H.O. Of The P.S. - Saria, District Raigarh Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Abhishek Saraf, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 89 of 2016 registered at P.S. Saria, Distt. Raigarh (C.G) for the offence punishable under Sections 20-B of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, on 11.06.2016, the applicant and accused Lalit Nishad were carrying cannabis in a bag on the motorcycle bearing Regn.No.C.G. 13-UJ/4947 and the bag was kept in between the pillion rider and the driver. When the said motorcycle was intercepted 10.200 kgs., of cannabis was recovered from him.
3. Learned counsel for the applicant submits that the entire seizure was made from co-accused Lalit Nishad and the seizure memo would show that the seizure was not from the person of applicant , therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the charge sheet. Prima facie it

appears that the applicant was a pillion rider in the motorcycle from whom the recovery was made.

6. Considering the quantity of cannabis which is alleged to be recovered from the applicant, I am not inclined to allow this bail application. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**

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