

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4936 of 2016

Sona Khan, S/o. Mohammad Yaqub Khan Musalman, Aged About 26 Years, R/o Takhatpur, Musalman Mohalla, Police Station Takhatpur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Takhatpur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant :- Mr. Vikash Pandey, Advocate

For Respondent/ State :- Mr. Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

22/08/2016

1. This is the second 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. 136/2015 registered at Police Station- Takhatpur, District Bilaspur (C.G.) for the offence punishable under Sections 20(b) of Narcotic Drugs Psychotropic Substance Act.
2. The first bail application of the applicant was dismissed on merit on 17.11.2015 in M.Cr.C. No. 6118 of 2015.
3. Case of the prosecution, in brief, is that on 21.05.2015, on a raid being made, the Police has recovered 1.600 KG contraband Ganja from the possession of the applicant near Maniyari river and thereafter the applicant was arrested.

4. Counsel for the applicant submit that the applicant is in jail since 21.05.2016 and no substantial progress is in the trial, therefore, the applicant may be enlarged on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Perused the earlier dismissal order, wherein the bail of the applicant was denied on the ground that the applicant has four cases of like nature of NDPS to his credit and the four witnesses have already been examined, I do not find any change of circumstances in this case, therefore, I am not inclined to release the applicant on bail.
7. Accordingly, the application for grant of bail is rejected.

Sd/-

(Goutam Bhaduri)
Judge