

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5658 of 2016

1. Narendra Sahu, S/o. Shri Chhatram Sahu, aged about 23 years,
R/o. Village-Pahanda, Thana – Sarangarh, District – Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the District Magistrate, District
Raigarh (C.G.), Station House Officer, P.S. - Sarangarh, Raigarh
(Not mentioned in order sheet).

---- Respondent

For Applicant : Mr. Pravin Das, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/09/2016

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.263/2016, registered at Police Station – Sarangarh, District – Raigarh (C.G.) for the offence punishable under Section 20B N.D.P.S. Act
2. The case of the prosecution in brief is that on 01.07.2016 on secrete information received that the applicant along with other co-accused transporting cannabis, they were intercepted and and on having search 6 kg 300 gram cannabis were recovered. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that, the applicant has been falsely implicated in this case and from the possession of the

applicant only the motor cycle was seized and entire seizure of cannabis was made from the other co-accused Chhatram, therefore, the counsel prays that 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 the documents. Perusal of the document shows that the present applicant and one co-accused were transporting the cannabis and from the co-accused who was pillion rider, the cannabis were recovered. Considering the primary recovery made and the quantity 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