

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5752 of 2016

- Sanju @ Sanjay S/O Late Dwarka Sharma Aged About 38 Years
R/O Shivaji Nagar, Kota, Police Station Saraswati Nagar, Raipur,
District Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Saraswati Nagar,
District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. C.R. Sahu, Advocate

For Respondent/State : Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26-09-2016

1. This is 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 on 7-6-2016 in connection with Crime No. 64 of 2016 registered at Police Station Saraswati Nagar, Raipur (CG) for the offence punishable under Section 20 (B) II (B) of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Case of the prosecution, in brief, is that 7-6-2016 at about 4.45 pm on a raid being made by the police party, the applicant was found in possession of 6 kg 500 grams of cannabis and same were recovered from him.
3. Learned counsel appearing for the applicant would submit that applicant has been falsely implicated in the case and no recovery was made in person from the applicant. He would

further submit that charge-sheet has been filed in this case, the applicant is in jail since 7-6-2016 and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that recovery of cannabis has been made from the applicant.
5. I have heard learned counsel for the parties, perused the case diary and documents which would show that recovery of cannabis weighing about 6 kg 500 grams was made from the applicant.
6. Taking into consideration facts and circumstances of the case and further considering the fact that the huge quantity of cannabis which has been recovered from the possession of the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed by the applicants under Section 439 of the Cr.P.C, is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju