

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7606 of 2015

Sunil Chaudhry, S/o. Suresh Chaudhry, Aged About 19 Years, R/o. Maharajpur, P.S. Sahebganj, Distt. Rajmahal, Civil & Rev. Distt. Rajmahal, Jharkhand

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, GRP Bhilai, Distt. Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Avinash Chand Sahu, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/01/2016

1. This is the 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 in connection with Crime No.89/32 of 2015 registered at Police Station- GRP (Bhilai), District Durg (C.G.) for the offence punishable under Section 20(B), 2(B) read with Section 8 NDPS Act.
2. Case of the prosecution, in brief, is that, a secret information has been received by the police that the applicant was having illegal cannabis and was going to sell the same and when the applicant reached near Railway Station, he was apprehended and from his possession total 9.500 Kg cannabis was recovered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as the seizure was not made in person of the applicant and it was seized from the open place.

Consequently, the seizure cannot be attributed to this applicant; therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. On perusal of the case diary and the documents, prima facie, it appears that the seizure was made from the applicant and total 9.500 Kg cannabis was recovered, therefore, considering the quantity of the seized cannabis, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge