

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1178 of 2016

- Rajkumar @ Dhanendra Kumar Patel S/o Dharamdas Patel
Aged About 25 Years R/o Village Bheesampur, Police Station
Amarpatan, District Satna, Madhya Pradesh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police
Station Sariya, District Raigarh, Chhattisgarh. - **Respondent**

For the applicant	:	Mr. Dinesh Prasad Patel, Advocate
For the Respondent	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

10.03.2016

1. This is the 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. 128 of 2015 registered at P.S. Sariya, District Raigarh (C.G) for the offence punishable under Section 20-B of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, the applicant and other co-accused was found transporting one quintal of contraband cannabis in the offending vehicle bearing Regn.No.M.P.19-GA/2824 and thereby they committed offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in crime in question. He further submits that no seizure was made from the present applicant and the Ganja was seized from co-accused Sandeep Patel. It is further submitted that the applicant is in jail since 10.10.2015 and the charge sheet in this case has been filed, therefore, he

prays for releasing the applicant on bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. Taking into consideration the totality of the facts and circumstances of the case, particularly, the quantity of Ganja involved in crime in question and the role of the applicant, this court is of the opinion that present is not a fit case to enlarge the applicant on regular bail. Accordingly, the application filed u/s 439 Cr.P.C., is rejected.

Sd/-

SANJAY K. AGRAWAL
JUDGE