

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3191 of 2016

1. Salveg Sahu S/O Shri Vasudev Sahu Aged About 26 Years R/O Village & Post - Ailabhatha, Thana & Tahsil - Gaysila, Civil & Rev. Distt. Bargarh (Orissa).
2. Pinku Sahu S/O Shri Surjo Raj Sahu Aged About 22 Years R/O Village - Samermuda, Thana - Gaysila, Civil & Rev. Distt. Bargarh (Orissa).

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Basna, Civil And Rev. Distt. Mahasamund Chhattisgarh.

---- Respondent

For Applicants : Mr. Sunil Sahu, Advocate

For Respondent/State : Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 10-3-2016 in connection with Crime No.57 of 2015, registered at Police Station Basna, District Mahasamundr (CG) for the offence punishable under Sections 20-B of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per prosecution case, on 10-3-2016 on information being received that the applicants are in possession of cannabis weighing 8 Kgs for the purpose of selling, a raid was made and the aforesaid cannabis were recovered from the possession of the applicants.
3. Learned counsel for the applicant would submit that the applicants have not committed any offence and have been falsely implicated in the case. He further submits that neither the applicants were in

possession of cannabis nor the same was found in their premises, charge-sheet has been filed, the applicants are in jail since 10-3-2016 and no further investigation is necessary, therefore, they may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, and looking to the huge quantity of cannabis which were recovered from the applicants, 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 liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge