

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1076 of 2016**

Ramswarup Patel, son of Ramnath Patel, aged about 40 years, R/o Village Risdi, Khodri, Tahsil Katghora, District Korba (C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through – Police Station-Kushmunda, District – Korba (C.G.) (Note: Police Station wrongly mention in the impugned order)

-----Non-applicant

For Applicant: Mr. A.K. Yadav, Advocate.
For Non-applicant/State: Mr. Suvigya Awasth, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/03/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 5/2016 registered at Police Station Kushmunda, District Korba (C.G.) for the offences punishable under Section 20(B) of the NDPS Act.

(2) Case of the prosecution, in brief, is that present applicant was found in possession of 2.500 kgs. of Ganja.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the crime in question as statutory compliance as required under the NDPS Act has not been complied with while making seizure of the alleged *Ganja* and,

therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Having heard learned counsel for the parties, having regard to the facts and circumstance of the case and looking to huge quantity of ganja i.e. 2.5 Kilograms, which was seized from the possession of the applicant, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-