

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2413 of 2016**

Maniram Sahu, S/o Badri Prasad Sahu, aged about 23 years, R/o Village Marhikanpa, P.S. Kota, Civil and Revenue District Bilaspur (C.G.)

---- Applicant

**Versus**

The State Of Chhattisgarh Through: the Police Station Nandghat, Civil and Revenue District Bemetara (C.G.)

-----Non-applicant

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For Applicant: Mr. M.K. Bhaduri, Advocate.  
For Non-applicant/State: Mr. B. Gop Kumar, Dy. AG

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**Hon'ble Shri Justice Manindra Mohan Shrivastava****Order on Board****30/05/2016**

Heard.

(1) The accused/applicant has preferred 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. 34/2016 registered at Police Station Nandghat, District Bemetara (C.G.) for the offence punishable under Section 20(B)(ii)(b) of the NDPS Act.

(2) Case of the prosecution, in brief, is that while applicant was moving the motorcycle, 15kgs of Ganja was recovered from his possession and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he was not

carrying the Ganja and no seizure has been made from his possession. He further submits that the applicant is in jail since 25.01.2016 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

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

(5) Taking into consideration the nature & gravity of the offence and further considering the fact that seizure has been made from the motorcycle, which was allegedly driven by the applicant; and looking to the huge quantity of Ganja, I am not inclined to release the applicant on bail at this stage. Thus, the bail application is rejected. However, the trial Court is directed to expedite the trial.

Sd/-

(Manindra Mohan Shrivastava)  
Vacation Judge

D/-