

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2992 of 2016

Shobha @ Buthu Sahu, W/o. Sonu Sahu, Aged About 30 Years, R/o.
Village Rasti, Police Station Kinjir Kela, District Sundergarh (Orrisa)

---- Applicant

Versus

State Of Chhattisgarh, Through: Station House Officer, Police Station
Lakhanpur, District Sarguja, Chhattisgarh

---- Respondent

For Applicant : Mr. Vineet Kumar Pandey, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.116/2015, registered at Police Station- Lakhanpur, District Sarguja (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on 11.07.2015, on a raid being made, from the possession of the applicant, total 4 Kg Cannabis was recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he is in jail since 11.07.2015 and the seizure witness have not supported the case of the prosecution, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail and he would submit that similar nature of crime under Section

20(B) of NDPS Act was registered under Crime No.195/2013 against the applicant and again the offence has been repeated by the applicant, therefore, he may not be enlarged on bail.

5. Considering the case diary and the fact that the similar nature of case was registered against the applicant in the year 2013, I am not inclined to go into merits of the case. Considering the past antecedents of the applicant and the quantity of seized Cannabis, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge