

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2988 of 2016

Chandra Prakas @ Potta, S/o. Murari Bhol, Aged About 43 Years, R/o.
Nayapara, Dayalband, P.S. City Kotwali, Distt. Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station
City Kotwali Bilaspur, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Malay Kumar Bhaduri, Advocate

For Respondent : Mr. Vivek Singhal, 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 Special NDPS Crime No.95/2016, registered at Police Station- City Kotwali, Bilaspur (C.G.) for the offence punishable under Section 20(B) of the NDPS Act.
2. Case of the prosecution, in brief, is that on 07.03.2016 on information received that the applicant was involved in the transaction of Cannabis, raid was conducted and while the applicant was purchasing Cannabis, he was caught red handed alongwith other accused namely Harish Sahu.
3. Learned counsel for the applicant would submit that only 4 Kg Cannabis is said to have been recovered from the applicant whereas the main allegation has been attributed to the other

accused and the applicant has been falsely implicated in this case, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and he would submit that in one crime number total 10 Kg Cannabis has been recovered and out of which 4 Kg has been attributed to this applicant while the applicant was in the transaction.
5. Perused the case diary and the documents. Considering the nature of offence and the way it has been committed and further considering the fact that total 4 Kg Cannabis was recovered from the possession of this applicant, 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