

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5068 of 2016

- Ratnesh Lodhi S/o Dal Singh Lodhi Aged About 22 Years R/o - Village - Chaurai, Police Station - Dehat (Damoh), Tahsil, Civil & Revenue District - Damoh (M.P.) --- **Applicant**

Versus

- State of Chhattisgarh Through - Police of Police Station - Dongripali, Tahsil, Civil & Revenue District - Raigarh Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Ratnesh Agrawal, Advocate
For the Respondent	:	Mrs. Shobha Kashyap, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

31.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 1/2015 registered at P.S. Dongripali, Distt. Raigarh (C.G) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per the prosecution case, on 10.01.2015 a Car bearing Regn. No.M.P.51CA/0120 which was transporting contraband cannabis was intercepted and at that time the driver fled away from the vehicle. It is alleged that on a search being made, 60 Kgs., of contraband cannabis was seized from the said vehicle.
3. Learned counsel for the applicant would submit that the actual ownership of the offending car belonged to one Anil Kumar Kakwani and the applicant has been falsely implicated.
4. Per contra, learned State Counsel opposes the bail.

5. Perused the case diary which contains the statement of Manish Modi through whom the Car was sold which shows that Anil Kumar Kakwani has sold the car to present applicant for Rs.3,58,000/-. Also perused the statement of Mangaldan wherein it is stated that at the relevant time, the car was being driven by the present applicant.
6. Considering the statements of witnesses and looking to the quantity of Ganja recovered from the vehicle, I am not inclined to release the applicant on bail. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**