

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5811 of 2016

1. Mohammad Salim, S/o. Mohammad Samuddin, aged about 36 years, R/o. Plant Side Road Raurkela, P.S. - Plant Side (wrongly mention in impugned order site) District – Sundargarh, Orissa.

----Applicant

Versus

1. State of Chhattisgarh, Through : GRP, Bilaspur, District – Bilaspur (C.G.)

---- Respondent

For Applicant : Mr. Dharendra Pandey, Advocate

For Respondent/State : Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/09/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.166/2015, registered at Police Station – GRP, Bilaspur, District – Bilaspur (C.G.) for the offence punishable under Section 20 (B) N.D.P.S. Act.
2. Case of the prosecution in brief is that on 07.12.2015 on a raid being conducted, from the possession of the applicant 4 kg cannabis were recovered. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no recovery has been made in person from the present applicant. It is further submitted that the applicant is in jail since 07.12.2015, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Perusal of the document prima-facie it appears that from the possession of the applicant, 4 kg. cannabis were recovered. Taking into such facts and the quantity seized, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge