

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6125 of 2016

- Gajadhar Sahu S/o Aadoram Sahu Aged About 40 Years R/o Village Motipur, Police Station Dongargarh, District Rajnandgaon Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through Police Station Pendra District - Bilaspur Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Ashok Yadav, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.10.2016

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. 220/2015 registered at P.S. Pendra, District Bilaspur(C.G) for the offence punishable under Section 20-B and 22 of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, on 15.10.2015 a vehicle bearing Regn.No.C.G.06-GB/2545 was intercepted and on a search being made, huge quantity of 170 Kgs., of contraband cannabis was recovered from the vehicle. The allegation against the present applicant is that when the offending vehicle was intercepted the applicant tried to flee away with the car and thereafter abandoned the car and fled away.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he was arrested after 9 months of the incident. He further submits that the seizure of cannabis was not made in person from the present applicant and it was recovered from an abandoned car,

therefore, the allegations cannot be attributed to the applicant.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents which shows that when the car of applicant was being chased he abandoned his car and fled away. Subsequently on the basis of registration of car, the applicant was arrested and his memorandum was also recorded.
6. Taking into consideration such evidence on record and looking to the huge quantity of Ganja i.e., 170 kgs, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE