

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7544 of 2016

Nandkishore Sahu, S/o. Kashiram Sahu, Aged About 22 Years, R/o. Karaudi, Police Station Shahpura, District - Dindauri (Madhya Pradesh).

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station - Kanker, District - North Bastar Kanker, Chhattisgarh.

---- Respondent

For Applicant : Mr. N.K.Chatterjee, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28.11.2016

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.279/2016 registered at Police Station- Kanker, District North Bastar Kanker (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs Psychotropic Substances Act.
2. As per the prosecution case, on 12.08.2016 when a checking was carried out, 13 Kg Cannabis were recovered from the Car bearing No.MP 20 CC 4708.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and no recovery was made in person of the present applicant. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and documents. Considering the nature of evidence, as it appears that from the present applicant and other co-accused the Cannabis were seized and further considering the quantity of the seized Cannabis which is 13 Kg, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge