

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8023 of 2016

Harish Sahu, S/o. Santram Sahu, Aged About 35 Years, R/o. Village Mopka, Near Hanuman Mandir, Police Station Sarkanda, District Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station - City Kotwali, Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sudeep Agrawal, Advocate.

For Respondent : Mr. Sangharsh Pandey, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02.12.2016

1. This is the second 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.95/2016 registered at Police Station- City Kotwali, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Section 20-B of Narcotic Drugs & Psychotropic Substances Act, 1985. The first bail application was dismissed on merit on 07.07.2016 in MCRC No.3395 of 2016.
2. As per the prosecution case, on 07.03.2016, on information being received that the applicant was coming on his motorcycle bearing registration No.CG-11-AF-4868 having possession of cannabis weighting about 10 kg to sell the same to Chandraprakash, a raid was made in which the applicant was found in possession of cannabis weighting about 6 Kg and co-accused was found in

possession of cannabis weighing about 4 Kg and the same was recovered from them.

3. Learned counsel for the applicant submits that as per the instructions, the case is fixed for 12.01.2017 and there is delay has been caused, therefore, the instant bail application may kindly be heard and the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the earlier order, which shows that the bail application was dismissed on merit on 07.07.2016 and the trial is pending. Taking into the facts, no change of circumstances appears to exist for re-consideration of the bail application.
6. Accordingly, the bail application is dismissed at the admission stage itself.

Ashok

Sd/-
(Goutam Bhaduri)
Judge