

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8218 of 2016

1. Naveen Barsagde, S/o. Late Chandrabhushan Barsagde, aged about 22 years, R/o. Pairi, Police Station – Gunderdehi, District – Baloda (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : Station House Officer, Police Station – Gunderdehi, District – Balod (C.G.)

---- Respondent

For Applicant : Mr. B.P. Singh, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/12/2016

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.279/2016, registered at Police Station – Gunderdehi, District – Balod (C.G.) for the offence punishable under Section 8/20B of Narcotic Drugs and Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on a raid being conducted in the house of the present applicant on 27.10.2016, from the room 4.100 k.g. 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 the Cannabis was not seized in person from the present applicant and it was seized from

the open terrace, which was accessible to every one. 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, documents and the seizure memo. Perusal of the seizure memo would show that Cannabis was seized from the room. Considering the quantity of the Cannabis 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