

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No. 18 of 2017

Dashrathi, son of Kayara Nayak, aged about 38 years, resident of Navapara, Police Station Jagadapur, Distt. Bargarh (Orissa) ...
Applicant

Vs.

State of Chhattisgarh through its Police Station Ganj, Raipur, Civil & Revenue District Raipur (C.G) ... **Respondent**

For the applicant	: Mr. Rekhraj Baghel, Advocate
For the Respondent	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice GOUTAM BHADURI

Order on Board

16.01.2017

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 214 of 2016 registered at P.S. Ganj Raipur, Civil & Revenue District Raipur (C.G) for the offence punishable under Section 20-B of the Narcotic Drugs & Psychotropic Substances Act, 1985.
2. As per the prosecution case, on 30.07.2016 the police had a secret information that the applicant and others were were going from Pandri to Railway station and they were searching for customers for selling the Ganja. On such information, a raid was conducted and from possession of the applicant 3.016 Kgs., of Ganja was recovered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no evidence is available to show that the seizure was made in person from the present applicant. He further submits that the charge sheet has been filed; no further investigation is necessary and he is in jail since 30.07.2016, therefore, the applicant

may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. A perusal of the documents would show that when a the raid was conducted alongwith the applicant two other persons were also there and they were carrying 10 Kgs., of Ganja, out of which, from the possession of the applicant 3.016 Kgs., of Ganja was recovered.
6. Taking into the total quantity of Ganja and nature of recovery from the possession of applicant and others, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**