

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 226 of 2017

Chandrabhan Yadav, S/o. Jagdhari Yadav, Aged About 42 Years, R/o. Village Khiridiha, Police Station Kartanganj, District Ajamgarh, Uttar Pradesh.

---- Applicant

Versus

State Of Chhattisgarh, Through S.H.O. Udaypur, District Surguja, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sunil Tripathi, Advocate

For Respondent : Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06/02/2017

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.36/2015 registered at Police Station- Udaypur, District Surguja (C.G.) for the offence punishable under Section 20(B) of N.D.P.S. Act.
2. As per the prosecution case, on 12.04.2015 on a secret information received, when the vehicle bearing No. U.P.54 S 5054 was intercepted, total 55 Kg Cannabis were recovered.
3. Learned counsel for the applicant would submit that there is an enormous delay in the trial though the seizure witnesses have been examined and the applicant is in jail since 12.04.2015; therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Considering the fact that the seizure witnesses have been examined, it would not be proper for this Court to adjudicate the case on merit. Accordingly, the bail application is dismissed. However, taking into the nature of allegation and the period of detention of the applicant, the Trial Court is requested to expedite the trial.

Sd/-
(Goutam Bhaduri)
Judge

Ashok