

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 493 of 2017

Akshay Lariya S/o Kundan Lal Lariya, Aged About 21 Years R/o
Lajpat Nagar, Near Bala School, Sagar, Police Station City Kotwali,
Sagar, Tahsil Sagar, District Sagar Madhya Pradesh

----Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Patewa, District Mahasamund Chhattigarh

---- Respondent

For applicant - Shri Vikash Pradhan, Advocate.

For Respondent/State –Shri Avinash K. Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

6/02/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.26/2016 registered in Police Station Patewa, District Mahasamund (C.G.) for offence punishable under section 20(b)(ii)(C) of Narcotic Drugs Psychotropic Substances Act.
2. As per the prosecution case, on 1/02/2016 vehicle bearing No. C.G. 04/CA/5527 when was tried to be intercepted on the information that cannabis being carried in that, vehicle was abandoned and driver of the vehicle fled away. Subsequently, on being searched 70 kg of cannabis was seized. Subsequently, from the vehicle number plate MP 09 CB 5927 and another number plate OR 03 E 7385 were recovered and on investigation it found that the applicant was carrying mobile and was driver of the vehicle and location of the mobile was traced on the spot. Subsequently, thereafter the applicant was arrested.
3. Learned counsel for the applicant submits that the applicant has

been falsely implicated in the case, there is no evidence to the fact that applicant was driver of the vehicle and only on the statement of Sriram Nayak owner of the vehicle, the applicant is arrested, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents and statement of owner of the vehicle Sriram Nayak. Call detail of mobile is also on record. Considering the statement of owner of the vehicle and nature of evidence available against the applicant and also considering the quantity of cannabis which is 70 kg, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE