

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 505 of 2017

1. Chandrabhanu Mehar S/o Jabdu Mehar, Aged About 29 Years R./o Village & Post Regali Thana & Tahsil Belpara, Civil & Revenue District Orissa
2. Kshetro Mahalik (Wrongly Mentioned Hetro In Order) S/o Abhiram Mahalik Aged About 35 Years R/o Village - Khairmandi, Thana - Kumna, Civil & Revenue Distt. - Nuwapada (Orissa) --- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer Police Station Chhura, Revenue District Gariyaband, Civil District Raipur Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Kamal Kishore Patel, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.01.2017

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 7/2016 registered at Police Station Chhura, Distt. Gariyaband (C.G) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The first bail application was dismissed on 05.07.2016.
3. As per the prosecution case, on 27.1.2016 on information being received that the applicants were coming from Chhura to Panduka on their motorcycle and they were transporting Ganja, their vehicle was intercepted and on search being made, 6 Kgs., of Ganja was recovered from their possession.
4. Learned counsel for the applicant would submit that already six witnesses have been examined and they have not

supported the case of prosecution and the applicants are in jail since 27.01.2016, therefore, they may be enlarged on bail.

5. On a query being made that whether the investigating officer has been examined or not, he submits that the I.O., has not been examined.
6. Perused the earlier rejection order dated 05.07.2016. As it has been submitted at bar that the I.O., is still to be examined, no change of circumstances exists in this case. The applicants are facing trial under NDPS Act. I am not inclined to entertain this second bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**