

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1457 of 2017

1. Basant Guru s/o Ayodhya Guru age 38 years, r/o. Ward No.2 Sindhiband, Talipara. PS Bargarh, Rev. & Civil District Bargarh (Odisha).
2. Satish Kumar Pradhan s/o. Prabodh Kumar Pradhan, age 30 years r/o. Kunjalipara PS town Rev. & Civil District Sambalpur (Odisha).

---- Applicants

Versus

State of Chhattisgarh Through PS Tarbahar, Bilaspur, District Bilspur Bilaspur (CG).

---- Respondent

For Applicants : Mr. Dinesh Tiwari, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20--3-2017

1. This is first bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicants who have been arrested on 15-12-2016 in connection with Crime No. 392 of 2016 registered at Police Station Tarbahar, District Bilaspur (CG), for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotric Substance Act.
2. Case of the prosecution, in brief, is that on 15-12-2016 on information being received that the applicants were carrying cannabis in the car, the car was intercepted and from the said car 55 kgs of cannabis were recovered and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in this case, seizure was not made in person from the applicants and the applicants are only inmates of the car. He would further submit that charge-sheet has been filed, the applicants are in jail since 15-12-2016 and no further investigation is necessary, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail application.
5. I have heard learned counsel for the parties and perused the case diary and seizure memo. It appears that 55 kgs of cannabis were recovered from the car.
6. Taking into consideration all the facts and circumstances of the case and looking to the huge quantity of cannabis which were recovered from the car belonging to the applicants, I am not inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C., is liable to be and is hereby dismissed.

Sd/-

(GOUTAM BHADURI)

Judge

Raju