

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2312 of 2017**

- Pradip Kumar Das S/o Chandra Badan Das, Aged About 26 Years R/o Village Kasrupada, Police Station Kesinga, District Kalahandi, Orissa.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Khamtarai, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri CR Sahu, Advocate
For Respondent/State	: Shri Anant Bajpai, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****26.4.2017**

1. Heard the matter finally.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No. 52/2017 registered at Police Station Khamtarai, Raipur, Distt. Raipur (CG) for the offence punishable under Section 20 (b) (ii) B of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short the NDPS Act).
3. Learned counsel for the applicant submits that charge sheet has been filed and the applicant is in detention since 28.1.2017. The matter is pending before the Special Judge (NDPS Act), as

Spl. Cr. Case No. 66/2017. As per allegations 4kg 500 gm of ganja was seized from the possession of the present applicant. Looking to the period of detention and the fact that charge sheet has been filed and trial may take some time, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application. He submits that the ganja so seized is not of small quantity and the applicant, who is resident of Kalahandi Orissa was involved in the illegal transportation of sale of the ganja and for no explanation, he was found at Vinu Petrol Pump Bhanpuri, goes to show his involvement in the offence.

5. I have heard the counsel appearing for the parties and perused the material.

6. On due consideration of the fact that from the conscious possession of the applicant 4 kg 500 gm ganja was seized and no explanation is given regarding his presence at the spot, I am not inclined to grant bail to the present applicant. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Certified copy as per rules.

Sd/
(Chandra Bhushan Bajpai)
JUDGE