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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4062 of 2017**

1. Chakradhar Mehar S/o Bhramarbar Mehar Aged About 33 Years
2. Pramod Kumar Mehar S/o Narayan Mehar Aged About 32 Years

Both R/o Kalahandi, Post Baldihamal, Police Station Junagarh,
District Kalahandi, Odisha.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police
Station Somani, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicants	Mr. BP Singh, Advocate
For Respondent /State	Mr. Sameer Singh, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

4/12/2017

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants, who have been arrested in connection with Crime No.19/2017, registered at Police Station Somani, District Rajnandgaon (CG) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. On secret information, the concerned Police intercepted two

vehicles bearing registration Nos.OR-05-AB-9000 and OD-08-B-7090, suspecting to be carrying *Ganja*. On checking, both the vehicles were found to be carrying 76.440 Kg of *Ganja*.

4. It is argued that the seizure memo does not bear signature of IO or the applicants, therefore, the same is doubtful and the witnesses have also not supported the seizure of *Ganja* from vehicle bearing registration No. OR-05-AB-9000 during trial, therefore, the applicants are entitled to be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Considering the quantity of contraband recovered from the vehicles, the question regarding non-mentioning of the vehicle in the later part of the statements under Section 161 of Cr.P.C of Rajendra Kumar Sinha and Dinu Ram Sahu or non-availability of signature of IO in one of the seizure memo, would be seen at the trial stage.
7. In view of the above, this Court is not inclined to release the applicants on regular bail at this stage.
8. Accordingly, the bail application is dismissed with liberty to repeat the prayer, if the trial does not end within a reasonable time.

Sd/-

Judge

(Prashant Kumar Mishra)

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