

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6593 of 2017

Chandra Pratap Singh S/o Shri Indrabhan Singh Aged About 27 Years R/o Village Umari, Tahsil & Police Station Chhorhatta, District Reewa Madhya Pradesh .
---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Patewa District Mahasamund Chhattisgarh.
---- Respondent

For Applicant	:	Shri J.A. Lohani, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/12/2017

Heard.

1. The applicant has been arrested in connection with Crime No.58 of 2015 registered at Police Station- Patewa, District Mahasamund (C.G.) for the alleged commission of offence under Section 20(B) of N.D.P.S. Act, 1985.
2. Case of the prosecution is that unmanned vehicle was found near Patewa of District Mahasamund and from the said vehicle, 35 kg. of ganja was recovered. Upon investigation, it was found that the applicant is the registered owner of the vehicle.
3. Learned counsel for the applicant would submit that the applicant's involvement is on the basis that the applicant is the registered owner of the vehicle. He would submit that the applicant is innocent. He is resident of Village Umari, Tahsil & Police Station – Chhorhatta, District Rewa (MP). He had submitted a report in the Police Station- Chhorhatta, District Rewa on 18.04.2015 itself stating that when he along with his family member had gone to attend the marriage in another city, he had left behind his vehicle in the house and his vehicle was stolen. He would submit that the fact that the

applicant filed report on 18.04.2015 itself in the police station at Chhorhatta, District Rewa (MP) shows that the applicant was at Chhorhatta, Dist. Rewa on 18.04.2015 and it is not possible for the applicant would be carrying and travelling ganja nearby Patewa of Distt. Mahasamund.

4. On the other hand, learned State counsel opposes the prayer and submits that the vehicle was found and ganja was seized at about 5:00 p.m. on 18.04.2015 therefore, the report lodged on 20.04.2015 only appears to be an attempt to escape out from criminal case. Learned State counsel would further submit that in the diary shows that the applicant lodged a report in Chhorhata Police Station has been put on close with the report that its a false report.
5. Taking into consideration that in the FIR placed before the Court, the report is said to have been given in the Police Station on 20.04.2015 whereas the incident of seizure of ganja 18.04.2015 and also taking into consideration the quantity of ganja, I am not inclined to grant bail to the applicant. Therefore, the bail application is rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge