

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8245 of 2016

Lalit Nishad, S/o. Hadu Nishad, aged about 32 years, R/o. Village-Korra,
P.S. - Sariya, District – Raigarh (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through : S.H.O. - Sariya, District – Raigarh
(C.G.).

---- Respondent

For Applicant : Mr. Amit Sharma, Advocate

For Respondent : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09.01.2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.89/2016 registered at Police Station- Sariya, District – Raigarh (C.G.) for the offence punishable under Section 20 (B) of N.D.P.S. Act.
2. As per the prosecution case, on 11.06.2016 on secrete information received that the applicant along with other co-accused were transporting the Cannabis and while they were moving in the motor cycle bearing No.C.G.-13-UJ-4947, they were intercepted and on having search made in between pillion rider and the driver, 10.100 kg Cannabis was recovered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and no seizure was made

in person from the present applicant, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Perusal of the documents prima-facie shows that from the present applicant and the other co-accused 10.260 kg. Cannabis was seized. Considering the facts and circumstances of the case and further taking into the quantity of the Cannabis seized, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge