

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8237 of 2016

Pradeep Gond, S/o. Raghumani Gond, aged about 30 years, R/o. Bhawani Nagar, P.S. - Sirgitti, Tahsil and District – Bilaspur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station – Torwa, District – Bilaspur (C.G.).

---- Respondent

For Applicant : Mr. Shailendra Dubey, Advocate

For Respondent : Mr. U.K.S. Chandel, 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.341/2016 registered at Police Station- Torwa, District – Bilaspur (C.G.) for the offence punishable under Section 21, 22 of N.D.P.S. Act and Section 25 of Arms Act.
2. As per the prosecution case, on 18.11.2016 from the possession of the present applicant 167 tablets of Nitrogen and knife was recovered. Thereby the offence has been committed.
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 and the applicant is in jail since 18.11.2016, 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, documents and the recovery. Perusal of the documents prima-facie shows that 167 Nitrogen Tablets along with knife were recovered from the present applicant. Apart from the above from perusal of the case diary would show that 21 cases under different sections are registered against the present applicant. Considering the nature of recovery and the past antecedents, 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