

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8459 of 2016

Buddiram Samal, S/o. Jagbandhu, aged 26 years, R/o. Village-Fadrimahara, P.S. - Dhusri, Tahsil – Dham Nagar, District – Bhadrak (Orissa).

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station -Sukma, District Sukma (C.G.).

---- Respondent

For Applicant : Mr. Wasim Miyan, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04.01.2017

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.59/2016 registered at Police Station- Sukma, District Sukma (C.G.) for the offence punishable under Section 20 (B) of N.D.P.S. Act.
2. As per the prosecution case, on 03.09.2016 on secrete information received that the applicant along with six other persons at Bus stand are in possession of the Cannabis and on a raid being made from all the persons 40 Kg. Cannabis was recovered and 3 Kg. Cannabis was recovered from this applicant.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and the recovery was made from open place Bus-stand, therefore, it was not recovered 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. Considering the facts and circumstances and taking into the fact that 40 Kg. Cannabis was recovered from different persons and the applicant was one of them. 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