

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2923 of 2017

- Shahnaz Khan @ Nazo S/o Lt. Abdul Wahab, Aged About 30 Years
R/o Ward No. 05, Chef House Podi, Police Station Podi, District
Korea, Chhattisgarh. **--- Applicant**

Versus

- State of Chhattisgarh Through Police Station Podi, District Korea,
Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. Pragalbha Sharma, Advocate
For the State	:	Mr. A.S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.04.2017

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 107 of 2016 registered at P.S. Podi, Distt. Korea (C.G) for the offence punishable under Section 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per the prosecution case, on a raid conducted by the police on 22.07.2016, from the possession of the applicant, 7 grams and 480 milligrams brown sugar was recovered.
3. Learned counsel for the applicant would submit that this is second bail application and the earlier one was dismissed as withdrawn on 03.10.2016 with liberty to repeat the same after examination of the seizure witnesses. He submits that the seizure witnesses have not been examined till date therefore the trial is not being progressed and there is also non-compliance of mandatory provisions.
4. On the other hand, learned State Counsel opposes the prayer.

5. Considering the fact that the earlier bail application was dismissed as withdrawn with liberty to repeat the same after examination of the seizure witnesses however the seizure witnesses have not been examined till date for some reason or the other, I do not find any ground to release the applicant on bail. Accordingly, the bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

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