

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6904 of 2017

Amit Kumar S/o Ramesh Chandra, Aged About 25 Years Caste
Jatav, R/o Shivalal Kala, District Aligarh, Uttar Pradesh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Nagarnar, District
Bastar, Chhattisgarh.

---- Respondent

For applicant - Shri Alok Kumar Dewangan, Advocate.
For Respondent/State –Shri S.R.J. Jaiswal, PL

Hon'ble Shri Justice Goutam Bhaduri

Order

17/11/2017

1. This is the second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 23/08/2016 vide M.Cr.C. No.3608/2016.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.21/2016 registered in Police Station Nagarnar, District Bastar (C.G.) for offence punishable under section 20 (b) of the NDPS Act.
3. Case of the prosecution, in brief, is that on 7/02/2016 on an information received that the applicant alongwith co-accused were carrying contraband ganja in bus bearing regn. no.C.G.19F/0702, as such the said bus was intercepted and on a search being conducted, 14 kgs & 500 grams of ganja was recovered. Thereby the offence is committed.
4. Learned counsel for the applicant submits that in this case IO is not turning up despite all efforts and therefore applicant is lodged in jail for more than 6 months, the IO could not be examined. He further submits that another co-accused Gopal Kumar has been enlarged on bail on

14/09/2017 vide M.Cr.C. No.5785 of 2017, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail and would submit that from the applicant 5 kgs of cannabis were seized and six witnesses have already been examined only IO remains to be examined.

6. Considering the quantity of cannabis so seized, I do not find it proper to re-consider the second bail application.

7. Accordingly, the second bail application is dismissed. Since it is stated that only IO remains to be examined, learned trial court is requested to conclude the trial within further period of two months from the date of receipt of copy of this order.

Sd/-

(Goutam Bhaduri)

JUDGE