

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 286 of 2018

Raj Kishore Alias Kumar Alias Rishikesh Kumar S/o Mahendra Prasad Yadav,
Aged About 20 Years R/o Simli Shadhar Naya Toli, Postal Mahadev Mill, Ward
No. 71, Patna City, P. S. Malasalami District Patna Bihar, Bihar

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Rajpur
District Balrampur Chhattisgarh , Chhattisgarh

---- Respondent

Shri Ravi Ranjan Sinha, counsel for the petitioner/s.
Shri Manish Nigam, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/02/2018

This is second bail application. First bail application was dismissed on 30/11/2017.

2. Learned counsel for the applicant would submit that earlier, the counsel could not appear and the bail application was rejected. He would submit that in so far as the present applicant is concerned, he was a gratuitous passenger traveling in the vehicle in which, *ganja* was found. He would submit that there were many other passengers in the vehicle and it cannot be said that it is the applicant, who is involved in the alleged commission of offence. He further submits that the applicant is a student and he was not knowing that the vehicle in which he was traveling, *ganja* is kept at the roof top.

4. On the other hand, learned State counsel opposes bail application and submits that the vehicle carrying huge quantity of *ganja*, met with an accident and in the vehicle, three persons, including the applicant were found traveling. Therefore, *prima facie* case is made out.

5. Taking into consideration the submission of learned counsel for the parties

and material on record, I am not inclined to grant bail to the applicant. The application is accordingly rejected.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge

Deepti