HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCRC No. 1103 of 2018

(Arising out of Crime No.520 of 2017 registered at P.S. Tikrapara, Distt. Raipur (C.G) for the offence punishable u/s 20(B) of the Narcotic Drugs and Psychotropic Substances Act)

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Gulshan Kumar S/o Tekram Sahu Aged About 21 Years R/o Village Arjunda Near Bus Stand, P.S. Arjunda, Civil & Revenue District. Balod, Chhattisgarh, District : Balod, Chhattisgarh --- Petitioner

Versus

State of Chhattisgarh through the In Charge P.S. Tikrapara, District, Raipur, Chhattisgarh, District : Raipur, Chhattisgarh **--- Respondent**

20.04.2018	Mr. Mr. Rakesh Thakur, Counsel for the Appellant. Mr. Suryakant Mishra, Panel Lawyer, for the State. This is first bail application filed under section 439 of the Code of Criminal Procedure for grant of regular bail. As per the prosecution case on 07.10.2017 while the vehicles were being checked by the police at a particular place, a Bus bearing No.C.G.07-N 6010 coming from Jagdapur reached there and on a search being made, 10 Kgs., of Ganja was recovered from the dickey of the said Bus which belonged to the applicant who was conductor of the Bus, thereby the offence has been committed. Learned counsel for the applicant submits that the applicant has been falsely implicated and the bag was not seized from the exclusive possession of the applicant and it was seized from the dickey of the bus. Per contra, learned state Counsel opposes the bail application. Perused the case diary and the statements of	

	Mohmmad Hussain and Mannu Yadav. Considering the statements of these witnesses and looking to the quantity of Cannabis which was seized from the vehicle, I am not inclined to allow this bail application. Accordingly, it is rejected. Sd/- GOUTAM BHADURI JUDGE	
Rao		