

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1247 of 2018**

Hakam Singh Lodhi S/o Shri Mishrilal Lodhi Aged About 35 Years R/o.-
Village-Mudra Pitamber, Thana-Nareran, Civil And Revenue District- Vidisha
(M.P.), District : Vidisha, Madhya Pradesh.

---- Applicant**Versus**

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

---- Respondent

For the Applicant : Shri Sumit Shrivastava, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****17.04.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.120 of 2017, registered at Police Station – Bodla, District – Kabirdham, Chhattisgarh for the offence punishable under Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 9.9.2017 and has been falsely implicated in this case. The charge-sheet has been filed against him, the case is before the trial Court and the trial against the applicant is not yet concluded. No case is made out against the applicant on the basis of the material placed before the Court by the

prosecution. The applicant is ready to abide by all the conditions that may be imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant was found in possession of commercial quantity of ganja. Hence, he is not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident, the car which was in possession of this applicant was searched and 28 kg of ganja was found in possession of this applicant. The same was seized and the case was registered against the applicant. As the quantity of ganja (narcotic substance) seized from the applicant was commercial quantity, the applicant himself is not a resident of this State, I do not feel inclined to grant bail to the applicant.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge