

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1927 of 2018

Krishna Lal S/o Mohar Sai Aged About 25 Years R/o- Village-
Beldagi, P.S.- Lakhanpur, District- Surguja, Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through- P.S.- Sitapur, District- Surguja,
Chhattisgarh.

---- Respondent

For applicant - Shri A.K. Prasad, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/04/2018

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 6/12/2017 vide M.Cr.C. No.6639 of 2017.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.108/2017 registered in Police Station Sitapur District Surguja (C.G.) for offence punishable under section 20-B of NDPS Act.
3. As per the prosecution case, on a raid being conducted on 30/05/2017 from the possession of the applicant 7 kg 550 gram cannabis were seized, thereby the offence has been committed.
4. Learned counsel for the applicant submits that witnesses have not supported the case of the prosecution, therefore the applicant may be released on bail.
5. Learned State counsel opposes the prayer for grant of bail.
6. At this stage while hearing bail it will not be proper for this court to evaluate the statement of the witnesses on merits as it would amount to

usurping power of the trial court, therefore I am not inclined to reconsider this second bail application.

7. Accordingly, the second bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE