

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1653 of 2018**

- Praveen Kumar S/o Sugandh Chand Chhokad, aged about 40 years, R/o Village Pasina Khurd P.S. Panipat Post Pasina Kalan, District Panipat (Haryana)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Police Station - Bodhghat, District Bastar (C.G.)

---- Respondent

For Applicant. : Shri P.K. Tulsyan, Advocate.
For Respondent. : Shri Ratan Pusty, P.L. for the State

Hon'ble Shri Justice Pritinker Diwaker**Order on Board****21/05/2018**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 25.12.2017 in connection with Crime No.427/2017 registered at Police Station : Bodhghat, District Bastar (C.G.) for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').
2. As per the prosecution case, on 25.12.2017 the applicant was found in possession of 8 kg cannabis, which he was carrying near New Bas Stand, Jagdalpur, in white plastic bag.
3. Learned counsel for the applicant submits that the applicant is in jail for last more than five months and till date charges

have not been framed by the trial Court. He further submits that it may take much time for framing of charges and initiation of evidence.

4. On the other hand, State counsel opposes the bail application and submits that all the mandatory provisions of the NDPS Act have been duly complied with by the prosecution. He further submits that considering the quantity of cannabis, the applicant is not entitled for bail.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, in particular the quantity of cannabis and the evidence adduced by the prosecution till date, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected at this stage.

Sd/-

(Pritinker Diwaker)
Vacation Judge