

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC NO.3302 of 2018**

Riyasat Ali S/o Peer Ali, aged about 28 years, R/o Ahanba, Police Station-
Mahebaghat, District Kausambi (UP)

---Applicant

Versus

State of Chhattisgarh Through G.R.P. Raipur, District Raipur (CG)

---Non-applicant

For Applicant	:	Ms Nirupama Bajpai, Advocate
For Non-applicant	:	Mr.Ashish Surana, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

25/06/2018

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.440/2017, registered at Police Station-GRP, Raipur, Distt.Raipur (CG), for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter called as "NDPS Act").

2. As per case of the prosecution, 20 kg. of contraband article ganja was seized from the possession of the present applicant.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He is in custody since 28.12.2017. Charge-sheet has been filed and no useful purpose will be served by detaining him in jail.

4. On the other hand, learned State Counsel would oppose the bail application and submit that it is more than commercial quantity.

5. I have heard learned counsel for the parties and perused the case dairy.

6. Considering the quantity of ganja and the provisions contained in

Section 37 (1) (b) of the NDPS Act, I am not inclined to grant bail to the applicant. Accordingly, the bail application is rejected.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-