

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 3498 of 2018**

Harpal Chauhan S/o Suryabhuwan Chauhan, aged about 33 years, caste Ganda, R/o Village Jenjara, Police Station Katghora, District Korba (CG)

**---- Applicant****Versus**

State of Chhattisgarh through Station House Officer, Police Station Katghora, District Korba, Chhattisgarh

**---- Respondent**


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| For Applicant        | : | Ms. Upasana Mehta, Advocate |
| For Respondent/State | : | Shri Arvind Dubey, P.L.     |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****31/08/2018**

This is the first application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 27.04.2018 in connection with Crime No. 135/2018 registered at Police Station- Katghora, District Korba (CG) for the offence punishable under Section 20(B) of the NDPS Act.

2. The case of the prosecution is that the applicant was found in possession of 2Kg. 900 gram Ganja kept in his house.
3. Counsel for the applicant submits that the applicant has been falsely implicated in the case and there is no substantial material available to substantiate the case of the prosecution neither has the mandatory provisions under NDPS Act been complied with.
4. Considering the facts and circumstances of the case, particularly taking note of the fact that the contraband was seized from the house of

the applicant, this Court does not find it proper to release the applicant on bail at this juncture.

**5.** Accordingly, the application for grant of bail stands rejected. However, right of the applicant would still remain to revive the same after all the material witnesses are examined.

**Sd/-  
(P. Sam Koshy)  
Judge**