

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3701 of 2018**

Khitesh @ Khitish Mandal, S/o Shri Karndhar Mandal, aged about 43 years,
R/o M.B.97, Post Pedankonda, P.S. Malkhangiri, District Malkhangiri (Orissa).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Kanker, District North Bastar
Kanker (CG).

---- Non-applicant

For Applicant : Mr. C.R. Sahu, Advocate

For Non-applicant : Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****19.09.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the copy of charge-sheet provided by the counsel for the State in connection with Crime No.61/2018 registered in Police Station Kanker, District North Bastar, Kanker for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substance Act.
3. Case of the prosecution, in brief, is that on 03.02.2018 at village Patthari in front of Pappu Dhabha, Sub Inspector Vikrant Son, Incharge of Crime Branch, Kanker seized 18.453 kg cannabis from the possession of the applicant.
4. Counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant.
6. I have heard counsel appearing for the parties and perused the case diary with utmost circumspection.

7. Looking to the facts and circumstances of the case, looking to the large quantity of the cannabis; looking to the seriousness of the offence; and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant.
8. Consequently, the bail application is rejected.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-