

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5716 of 2018**

- Rakesh Chandravanshi S/o Late Brajesh Ram Aged About 32 Years R/o- Village Gardevi, Ward No. 3, Gadhwa, P.S. Gadhwa (Jharkhand), District : Garhwa , Jharkhand

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, P.S. Ramanujganj, District- Balrampur, Chhattisgarh.,

---- Non-applicant

For Applicant : Shri Shakti Raj Sinha, Advocate.

For Non-applicant : Shri Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****30.08.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 163/2017 registered at Police Station – Ramanujganj, District – Balrampur(C.G.) for the offence punishable under Sections 21 and 27 of the Narcotic Drugs and Psychotropic Substances Act.
3. Case of the prosecution, in brief is that on 19.11.2017 near about 11:50 am Sub-Inspector Amit Baghel, Police Station Ramanujganj seized 25.10 grams of brown sugar from the possession of the applicant.
4. Learned counsel for the applicant argued that alleged seized

brown sugar is more than small quantity but less than commercial quantity, he applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Looking to the facts and circumstances of the case, looking to the allegation and seriousness of the offence, age of the deceased, 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.

7. Consequently, the present bail application is rejected.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE