

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.6177 of 2018

1. Saddik Shah S/o M.R.Kadir Shah, aged about 40 years, R/o Simoni, P.S. Baberu, District Banda, Uttar Pradesh.
2. Kalim S/o Mr. Imam Baksh, aged about 30 years, R/o Ludhauri, post Kanvara, P.S. Banda, District Banda, Uttar Pradesh.

---Applicants

Versus

State of Chhattisgarh, Through - Police Station Keshkal, District Kondagaon (C.G.).

---Respondent

For applicants	:	Shri Rajesh Jain, Advocate.
For resp./State	:	Shri Syed Majid Ali, Dy.G.A.

Hon'ble Shri Justice P. Sam KoshyOrder on Board24/08/2018

1. The applicants has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.96/2017 registered at Police Station Keshkal, Kondagaon (C.G.) for the offence punishable under Section 20-B of the NDPS Act.
2. Present is a repeat bail application.
3. The earlier bail application stood rejected by this Court on 21/03/2018 on merits.
4. The repeated bail application has been moved by the applicants on the ground that, a couple of material witnesses has been examined before the

trial court, but they have not supported the case of the prosecution and have turned hostile.

5. According to the counsel for the applicants, there is all chance of the applicants being acquitted in the criminal case and that they are in jail since 09/08/2017 and as such they have remained in custody for about 1 year and thus prayed for releasing the applicants on bail.

6. The State counsel however opposing the bail application submits that, it is a case where a huge quantity of contraband – Gaanja was seized from the possession of the present applicants. He further submits that, this Court had already considered merits of the case while rejecting the earlier bail application and thus prayed for rejecting the same.

7. Having heard the contentions put forth on either side and on perusal of record, particularly, taking note of the observations made by this Court while dismissing the earlier bail application and also considering the quantity of contraband seized, this Court is of the opinion that the present applicants did not deserve bail at this juncture.

8. Accordingly, the instant MCRC stands rejected.

9. However, the trial court is directed to ensure that the trial is concluded at the earliest.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE