

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6270 of 2018**

Rakesh Kumar, S/o Late Vishan Kumar Singh, Age-19 years, R/o
 Village Shiwala Kalan, Thana Khair, District Aligarh, Uttar Pradesh
 (Detailed not mentioned in the order sheet) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Nagarnar, District
 Bastar (C.G.)

---- Non-applicant

For Applicant : Mr. Alok Kumar Dewangan, Advocate.
 For Non-applicant/State : Mr. Ashish Surana, PL for the State.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****19/11/2018**

(1) This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.82/2017 registered at Police Station Nagarnar, District Bastar for the offence punishable under Section 20(B) of the NDPS Act.

(2) Case of the prosecution, in brief, is that present applicant was found in possession of 12.174 Kg. of *Ganja*, which he was carrying unauthorizedly for sale.

(3) Counsel for the applicant submits that the statutory compliance as required under the NDPS Act has not been complied with while making seizure of the alleged *Ganja* and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Having heard learned counsel for the parties, having regard to the facts and circumstance of the case and looking to the quantity of ganja and considering the fact that the applicant has to establish the fact of non compliance of the provisions contained in Section 20(B) of the NDPS Act during trial, I am of the opinion that it is not a fit case in which the accused/applicant should be granted regular bail. Accordingly, the bail application is rejected. However, the trial Court is directed to expedite the trial as two witnesses have already been examined.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

