

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7342 of 2017**

- Rinku Singh S/o Karamveer Singh, aged about 22 years, R/o Banyani, Police Station - Kalono, District - Rohtak, Haryana

---- Applicant**Versus**

- State of Chhattisgarh Through : The Police Station - Kotwali, Jagdalpur, District Bastar (C.G.)

---- Respondent

For Applicant. : Shri R.K. Bhagat, Advocate.
 For Respondent. : Shri Anupam Dubey, P.L. for the State

Hon'ble Shri Justice Pritinker Diwaker**Order on Board****21/05/2018**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 27.11.2016 in connection with Crime No.397/2016 registered at Police Station : Kotwali, District Bastar (C.G.) for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').
2. As per the prosecution case, on 27.11.2016 the applicant was found in possession of 16 kg cannabis, which he was carrying in the trolley bag.
3. Learned counsel for the applicant submits that the applicant is in jail for last more than one and half years and about six witnesses have already been examined. He further submits

that the independent and seizure witnesses have not supported the prosecution case.

4. On the other hand, State counsel opposes the bail application and submits that all the mandatory provisions of the NDPS Act have been duly complied with by the prosecution and Investigating Officer is yet to be examined. He further submits that considering the quantity of cannabis, the applicant is not entitled for bail.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, in particular the quantity of cannabis, the evidence adduced by the prosecution till date and further considering the fact that Investigating Officer is yet to be examined, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Pritinker Diwaker)
Vacation Judge