

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8488 of 2018

Javed Khan S/o Abdul Zabbar Aged About 38 Years Caste Muslim
R/o Yadav Nagar, Ekta Colony, Nagpur Maharastra, District :
Nagpur, Maharashtra

---- Applicant

Versus

State of Chhattisgarh Through P. S. Darbha, District Bastar
Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

For Applicant : Mr. Vikas A Shrivastava, Advocate
For Respondent : Mr. Ratan Pusty Govt. Advocate

Hon'ble Smt. Justice Vimla Singh Kapoor.

Order On Board

17/12/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail to the applicant who has been arrested in connection with Crime No. 39/2015 registered at Police Station Darbha, District Bastar (C.G.) for the offence punishable under Sections 20-B (ii) (C) of Narcotics Drugs and Psychotropic Substance Act, 1985.
2. As per prosecution case, on 09.07.2015, 100 KG Ganja was seized from the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant is in jail since 09.07.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the document, collected by the prosecution. On doing that, it prima-facie, appears that 100 KG cannabis were seized from the possession applicant and the other co-accused in this case is absconding, dis-entitling the benefit of bail to the accused/applicant. It being not a fit case, the application for grant of bail is rejected.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-

(Vimla Singh Kapoor)

V. Judge

Santosh