

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 8157 of 2017**

Khush Chand Verma S/o Shri Moti Ram Verma Aged About 35 Years
R/o Village Mura P. S. Kharora Tahsil Tilda, District Raipur
Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Komakhan District Mahasamund Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. Vimlesh Bajpai, Advocate
For State	:	Mr. Gary Mukhopadhyay, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****02/01/2018**

1. This is the repeat bail application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 58/2017 registered at Police Station Komakhan, District Mahasamund, Chhattisgarh for the offence punishable under Section 20(B) of NDPS Act.
2. The earlier bail application was dismissed as withdrawn with a liberty to revive after material witnesses are examined vide order dated 13.06.2017.
3. Counsel for the applicant submits that since the material witnesses have all been examined, but there is not much material with which the applicant could be convicted as prima facie there is many flaws and contradictions in the evidence of the prosecution witnesses and thus prayed for the applicant to be released on bail, particularly on the ground that the applicant is in jail since 23.04.2017 i.e. he has remained in jail for a period of almost about 8 months.

4. The State counsel however opposing the bail application submits that all the witnesses who have been examined before the trial Court have in fact supported the case of the prosecution and therefore there is prima facie strong case made out against the present applicant, with which he does not deserve to be released on bail.
5. Considering the facts and circumstances of the case, particularly the evidence, which have come on record and also taking note the quantity of the contraband seized, this Court is of the opinion that it is not a fit case for grant of bail, accordingly the same stands rejected.
6. Needless to mention that since most of the material witnesses have all been examined, it is expected that the trial Court shall try to dispose of the case as expeditious as possible.

Sd/-
(P. Sam Koshy)
Judge