

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9146 of 2018

Kanhaiyalal Soni, S/o late Shyamlal Soni, aged about 52 years, R/o Deendayal Colony, Dhimrapur, P.S. City Kotwali, Raigarh, District Raigarh (CG).
---- Applicant

Versus

State of Chhattisgarh, through S.H.O. City Kotwali, Raigarh, District Raigarh (CG).
---- Non-applicant

For Applicant	:	Mr. Krishna Tandon, Advocate
For Non-applicant	:	Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.12.2018

1. This is first bail application filed under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.1199/2018 registered in Police Station City Kotwali, District Raigarh for the offence punishable under Section 20(B) of Narcotics Drugs and Psychotropic Substances Act.
3. Case of the prosecution, in brief, is that on 20.09.2018, Sub Inspector S.K. Yadav posted at Police Station City Kotwali, Raigarh seized 1.300 kg cannabis from the possession of the applicant.
4. Counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. Counsel for the State would oppose the prayer for grant of bail. He would further submit that five criminal cases, out of which, 01 case under IPC, 03 cases under NDPS and 01 case under Gambling Act have already been registered against the applicant.
6. Looking to the facts and circumstances of the case, looking to this facts that 05 criminal cases have already been registered against the applicant, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the bail application is rejected.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-