

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 285 of 2019**

Pintu Goswami, S/o Ashwani Goswami, aged about 28 years, R/o Bramhadehi Para, Police Station Khamtarai, Raipur, District Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Khamtarai, Raipur, District Raipur (CG).

--- Non-applicant

For Applicant : Ms. Sunita Sahu, Advocate

For Non-applicant : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

31.01.2019

1. This is first bail application 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.531/2018 registered in Police Station Khamtarai, Raipur, District Raipur for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substance Act.
3. Case of the prosecution, in brief, is that on 29.09.2018, Shiv Kumar Dhruw, Sub-Inspector posted at police station Khamtarai seized 2.00 kg cannabis from the possession of the applicant.
4. Counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the case and as such he may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail. He further submits that 06 criminal cases, out of which, 02 cases under Cr.P.C. and 02 cases under IPC and 02 cases under Excise Act have already been registered against the applicant.
6. Looking to the aforesaid facts and circumstances of the case, looking to this fact that 06 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