

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 468 of 2019**

Chaindas, S/o Chhedudas Panikar, aged about 65 years, R/o Chunchuni Colony, Kusmunda, Tahsil Katghora, District Korba (CG). ---- **Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Kusmunda, District Korba (CG). --- **Non-applicant**

For Applicant : Mr. Shubham Tripathi, Advocate

For Non-applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

06.02.2019

1. This is second 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. 270/2018 registered in Police Station Kusmunda, District Korba for the offence punishable under Section 20 B of NDPS Act.
3. The first bail application of the applicant was rejected on merits by this Court vide order dated 27.10.2018 passed in M.Cr.C. No.7166/2018 considering this fact that five other criminal cases have already been registered against the applicant.
4. Case of the prosecution, in brief, is that on 06.09.2018 Inspector Vinay Chelak posted at police station Kusmunda seized 1.650 kg of cannabis from the possession of applicant No.1Chaindas and one Scooty from applicant No.2-Ajay Kumar Sarthi.
5. Counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the case. He further submits that the applicant is an old person and he is in jail for long back and as such the applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. Looking to the facts and circumstances of the case and also considering the fact that five criminal cases have already been registered against the applicant and there is no change in the circumstances of the case on the strength of which he may be released on bail in second round. Consequently, the second bail application is rejected.
8. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE