

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1326 of 2019**

Ramanuj Pandey S/o Late Ram Krishna Pandey Aged About 27 Years
R/o Village Sansaripur, Post Pirathiganj, Tehsil Raniganj, Police
Station Sadar Pratapgarh, District Pratapgarh, Uttar Pradesh.,
District : Pratapgarh, Uttar Pradesh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer Police
Station Borai District Dhamtari Chhattisgarh., District : Dhamtari,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Aditya Bhardwaj, Advocate appearing on behalf of Shri S.S. Baghel, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**08/03/2019**

1. This is the second bail application under Section 439 of the CrPC.
2. Earlier first bail application was rejected by this court on 17/11/2017 in MCRC No. 3764/2017 considering *prima facie* case against the applicant.
3. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.06/2017 registered at Police Station Borai, District Dhamtari (C.G.) for the offence punishable under Section 20 (B) of NDPS Act.
4. Case of the prosecution, in brief is that on the basis of information 07/04/2017, at about 15.50 near forest Naka, village Borai, Inspector of Police Station Borai S.L. Sinha along with police official stopped a Maruti Car bearing registration No. DLI CV 5794. The applicant was sitting in the said car. Three plastic bags were found in the dikki containing contraband cannabis. From applicant Ramanuj Pandey 9.4 Kg. Cannabis, from co-accused Sandeep Mishra 19 Kg. Cannabis and from co-accused Roshan Shukla 17 Kg. Cannabis was seized, total quantity of contraband cannabis is 45.400 Kg.
5. Counsel for the applicant submitted that applicant is in jail since 07/04/2017 thus he may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. There is no change of circumstances of the case on the strength of which the applicant is entitled to get benefit of Section 439 CrPC, consequently, second bail application is rejected.

Sd/-

(Sharad Kumar Gupta)
Judge