

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1489 of 2019

- Ajay Kumar Dhiwar S/o Shri Maniram Dhiwar, Aged About 34 Years R/o Khandoba, Ratanpur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Ratanpur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant	: Ms. Shivali Dubey, Advocate.
For Non-applicant	: Ms.M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

24.04.2019

1. Heard on I.A. No. 1 of 2019 application for calling the report of applicant regarding his illness and treatment.
2. Applicant is directed to approach before the trial Court for calling of the report regarding his illness and treatment from the jail authority.
3. I.A. No.1 is disposed off accordingly.
4. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
5. Perused the case diary provided by the learned counsel for the State in connection with crime No.42/2018 registered at Police Station Ratanpur District-Bilaspur (C.G.) for the offence punishable under Section 20B(ii-C) of the NDPS Act.
6. Case of the prosecution, in brief is that on 28.01.2018 at 23:15 hours at village Khasriyapara, 25 Kg cannabis were seized from the possession of the applicant.
7. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
8. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
9. Looking to the facts and circumstances of the case, looking to the huge quantity of the cannabis, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
10. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE