

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No.1515 of 2019

Vidhan Chand Kirtaniya, S/o Rumno Ranjan Kirtaniya, aged about 30 years, R/o village Durgapur, Post Chopana, P.S. Chopana, District Betul (M.P.). ---- **Applicant**

Versus

State of Chhattisgarh, through Police Station Bodhghat, Jagdalpur, District Bastar (CG). ---- **Non-applicant**

For Applicant	: Ms. Kiran Jain, Advocate
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

24.04.2019

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.374/2017 registered in Police Station Bodhghat, Jagdalpur, District Bastar for the offence punishable under Section 20(B) of Narcotics Drugs and Psychotropic Substance Act.
3. Case of the prosecution, in brief, is that on 07.11.2017 at about 22:10 hrs at Railway Station, Jagdalpur, Sub Inspector Rakesh Kumar Manade posted at Police Station Bodhghat seized 19 kg cannabis from the possession of the applicant.
4. Counsel for the applicant submitted that the applicant has not committed any offence and has been falsely implicated in the case. He is in custody since year 2017 and as such the applicant may be released on bail.
5. Counsel for the State opposed the bail application. However, she submitted that previously no criminal antecedent is reported against the applicant in police case diary.
6. Looking to the facts and circumstances of the case, looking to the huge quantity of cannabis seized from the possession of 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. However, the trial Court is directed to expedite the trial and dispose of case as early as possible from the date of receipt of certified copy of this order.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-