

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2604 of 2019**

- Rajesh Khatik S/o Kodu Khatik Aged About 33 Years R/o Tikrapara, Police Station- City Kotwali, Near Mama Bhanja Pond, District- Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Kotwali, Bilaspur, District- Bilaspur, Chhattisgarh

----Non Applicant

For the Applicant : Mr. Ishan Verma, Advocate

For Non Applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****03.05.2019**

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. No other bail application is pending before any other Court.
2. Earlier, the first bail application of the applicant was rejected by this Court by order dated 19.03.2019 passed in MCRC No.1133 of 2019, considering the prima facie case against him.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.35/2019 registered at Police Station- City Kotwali, District- Bilaspur (C.G.) for the offence punishable under Section 20(B) of NDPS, Act.
4. Case of the prosecution in brief is that on 25.01.2019 at about 03:50 p.m. near the Mama-Bhanja Pond, Tikrapara, Bilaspur Sub Inspector H.R. Sidar posted at Police Station Kotwali seized 2 kgs cannabis from the possession of the applicant.
5. Counsel for the applicant submitted that alleged seized quantity of cannabis is less than commercial quantity. Applicant has been acquitted from one case of IPC on the basis of compromise. In the case of Gambling Act and Explosive Act applicant has been convicted by fine on his admission. Thus, applicant may be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application. He further submits that six other criminal cases have been registered against the applicant out of which one under IPC, four under Gambling Act and one under Explosive Act.
7. Looking to the above mentioned facts and circumstances of the case, looking to this fact that six other criminal cases have been registered against the applicant, looking to this fact that there is no change of circumstances which may entitle the applicant to enlarge on bail in second round of litigation, thus second bail application is rejected
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge