

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2711 of 2019**

1. Dildar Ahmad S/o Abdul Jabbar Aged About 26 Years Caste Muslim, R/o Chilbila Ranjitpur, Ward No. 22, House No. 155, Post Madhavganj, Police Station Sadar, District Pratapgarh Uttar Pradesh
2. Vipin Shrivastava, S/o Sushil Kumar Shrivastava Aged About 27 Years Caste Kayasth, R/o Saraiana Dev Ward No. 17, Police Station Jathwara, District Pratapgarh Uttar Pradesh

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Farasgaon. District Kondagaon Chhattisgarh

---- Respondent

For Applicants : Shri Kaushal Yadav, Advocate

For Respondent/State : Shri Rahul Jha, GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****05/07/2019**

1. This is the Second Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 20.03.2017 in connection with Crime No.23/2017 registered at Police Station Farasgaon, Civil and Revenue District Kondagaon (CG) for the offence punishable under Section 20 (b) of the N.D.P.S. Act.
2. The First Bail Application bearing M.Cr.C. No.7400 of 2018 was dismissed as withdrawn on 30.10.2018.
3. As per the prosecution case, on an information received that on 20.03.2017

some of the persons were transporting cannabis, a car was intercepted and from the car 101.379 KG cannabis was recovered, wherein the applicants were also the occupants. Thereby the offence has been committed.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated and it was alleged that the cannabis was found from the joint possession. He would further submit that there is no evidence on record to prove the fact that the applicants were in conscious possession and the trial has not been concluded till date despite the order passed by this Court in M.Cr.C. No.7400 of 2018 on 30.10.2018, therefore, the applicants may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Perused the case-diary documents. Taking into the fact the quantum of cannabis so seized, I do not find any enormous delay has caused in this case, considering the same I am not inclined to release the applicants on bail.
7. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri
Judge