

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3308 of 2019**

Karan Dhruwanshi S/o Hinchharam Dhruwansi Aged About 55 Years
R/o Near The Baniya Talab Makeshwar Ward Dhamtari, P.S. City
Kotwali, Dhamtari, Tahsil And District- Dhamtari, Chhattisgarh, Mobil
8839761274, District : Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- S.H.O. Of The Police Station City
Kotwali, Dhamtari, Tahsil And District- Dhamtari, Chhattisgarh

---- Respondent

For the Applicant : Shri Vijay K. Deshmukh, Advocate
For the State : Shri K.K. Singh, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**29/05/2019**

1. This is the Second bail application under Section 439 of the CrPC. First bail application was rejected by this Court on 04/01/2019 in MCRC No. 9205/2018.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.489/2018 registered at Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offence punishable under Section 20 of NDPS Act.
3. Case of the prosecution, in brief is that on 17/10/2018 at about 15.45 hour, at Makeshwar Ward, Dhamtari, Sub Inspector Sukhedra Singh posted at PS Dhamtari seized 4.800 Kg cannabis from the possession of the applicant.
4. Learned counsel for the applicant submits that the applicant is in jail since 18/10/2018 and none of the prosecution witness has been examined yet now, therefore, the applicant shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application and submitted that 14 criminal cases have been registered against the applicant, out of which 7 cases are under NDPS Act, 2 cases are under IPC and 5 cases are under CrPC.
6. Looking to the above mentioned facts and circumstances of the case, there is no change of circumstances to get the benefit of Section 439 of CrPC in second round. Thus second bail application is rejected. However, the trial Court is directed to expedite the trial and dispose of the case as soon as possible and also submit the brief report regarding progress of the trial within two months from the date of receipt of copy of this order.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Vacation Judge