

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 3112 OF 2019

Shivabodo Nayak S/o Damobodo Nayak Aged About 24 Years R/o Labhalapur, Balela, Machkund, District Korapur (Odisha).

... Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Hirri, District Bilaspur Chhattisgarh.

... Respondent

For Applicant	:	Shri Rajeev Dubey, Advocate.
For Respondent-State	:	Shri Anand Verma, Dy. Govt. Advocate.

S.B.: Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

20.05.2019

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant who has been arrested in connection with crime No.170/2017 registered at Police Station Hirri, District Bilaspur, for the offence punishable under Sections 20(B)(ii-c) of the NDPS Act.
2. Case of the prosecution, in brief, is that, the applicant was found in possession of 33 KG of Ganja.
3. Learned counsel for the applicant submits that he has not committed any offence; he has falsely been implicated in the case; the most of the prosecution witnesses have turned hostile; there is no chance of conviction, and therefore, the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence and also considering the fact that the quantity of contraband seized from the possession of the applicant is of commercial quantity, I am of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected. However, the trial court is directed to conclude the trial expeditiously.

Sd/-
(Sanjay K. Agrawal)
Vacation Judge

inder