

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3483 of 2019**

Devraj Nag S/o Indrasen Nag Aged About 22 Years R/o
Near Advani School, Derapara, Police Station Khamtarai,
District- Raipur, Chhattisgarh., District : Raipur,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police
Station Khamtarai, District- Raipur, Chhattisgarh., District :
Raipur, Chhattisgarh

---- Respondent

For the Applicant	:	Shri Anand Prakash Sharma, Advocate
For the State	:	Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**15/07/2019**

1. This is the second bail application under Section 439 of the CrPC. Earlier first bail application was rejected by this Court on 03/01/2019 in MCRC No.8768/2018.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.355/2018 registered at Police Station Khamtarai, District Raipur (C.G.) for the offence punishable under Section 20 (B) of NDPS Act.
3. Case of the prosecution, in brief is that on 02/07/2018 at Rawabhatha at 17.40 hours A.S.I. Ramesh Chandra Yadav posted at Police Station, Khamtarai seized 20 Kg. of cannabis from the dicky of the Wagon R bearing registration number C.G. 04 LW 0795. Applicant, co-accused Mahendra Dhruv, Baisakhu Dhruv, Ajuba Uike were present in that car.
4. Counsel for the applicant submitted that six witnesses have been

examined in the trial Court who turned hostile. He further submitted that trial is delayed thus applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Mere turning hostile of seizure and other witnesses is itself not sufficient ground to enlarge on bail to the accused in the second round of litigation.
7. Looking to the material available on record against the applicant, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present second bail application is rejected. However, trial Court is directed to expedite the trial and dispose of the case as soon as possible.

Sd/-
(Sharad Kumar Gupta)
Judge