

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC(A) No. 1060 of 2019**

- Laxmi Prasad Kashyap S/o Shri Takhat Ram Kashyap, Aged About 45 Years R/o Village - Jagi Chauk, Beltara, Post Beltara, Police Station Ratanpur, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Ratanpur, Civil and Revenue District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Paras Mani Shriwas, Advocate.
For Respondent/State	: Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**09/08/2019**

1. The Applicant is apprehending his arrest in connection with Crime No. 88/2019 registered at Police Station Ratanpur, District Bilaspur, (C.G.). for the offence punishable under Section 20 (B) of NDPS Act.
2. As per the prosecution story, on 19.03.2019, on the basis of information received from an informant, police officials searched the house of the present Applicant and seized total 7 kg of contraband 'ganja' and cash of Rs. 35,000/-. Allegedly, present Applicant fled away from the house and said 'ganja' and cash of Rs. 35,000/- have been seized from his son, who was present in the house at the time of incident.
3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. It is further submitted that *prima facie*, no case is made out against the present Applicant and no seizure has been made from him. He further states that, there is no material available on record

which shows that house in question is in exclusive possession of the present Applicant. Thus, it is prayed that, present Applicant may be extended the benefit of anticipatory bail.

4. Learned Counsel appearing for the State opposes the bail application and submits that according to the material contained in the case diary, *prima facie*, the case alleged against the present Applicant is made out. There are sufficient evidence available on record, from which it can be established that present Applicant is involved in the said crime. Thus, he may not be given benefit of anticipatory bail.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties and further considering the fact that the alleged house from where the seizure was made, belongs to the present Applicant and at the time of incident, he was present in the house and thereafter fled away from there. Therefore, I am not inclined to extend the benefit of anticipatory bail to the present Applicant.
7. Accordingly, the bail application is rejected.

Sd/-
(Arvind Singh Chandel)
Judge