

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6182 of 2018**

- Anshuman Guru S/o Shyam Sundar Guru Aged About 22 Years
R/o- Village And Post Tarbha, District- Sonpur, Odisha

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer,
Khurseepar, District- Durg, CG

---- Respondent

For applicant	Mr. Gautam Khetrapal Adv.
For Respondent/State	Mr. I. Lakra, Dy. Govt. Advocate.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****9-1-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 259/2017 registered in police station Khursippar, Distt. Durg (CG) for offence punishable under Section 20(B)(ii)(b) of the NDPS Act.
3. Perused the case diary.
4. Prosecution story in brief is that on 9-10-2017 at about 12.30 hours, Sub Inspector Bharatlal posted at Police Station Khursipar seized 15 kg cannabis from possession of the applicant.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated. He further submits that in the weight panchnama, time is mentioned as 12.45 pm, which is later time. Thus, investigation is suspicious hence he may be released on bail.
6. On the other hand, the State Counsel opposed the bail application.
7. As per the FIR, first the alleged cannabis was weighed and thereafter seizure was effected. Moreover in the weight panchnama, there is over writing in time.

8. What would be the affect over writing may be considered by the trial Court at the time of disposal of the trial.
9. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
10. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge