

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5704 of 2019

- Raju Namdev Son Of Ram Prasad Namdev Aged About 45 Years Resident Of Bramhpara, Ambikapur, District Sarguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ambikapur, District Sarguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

 For Applicant : Shri Vidyabhushan Soni, Advocate
 For Respondent/State : Shri B.L. Sahu, P.L.

Hon'ble Smt.Justice Rajani Dubey
Order On Board

06.11.2019

1. The applicant has preferred this first bail application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with Crime No.359/2019 registered at Police Station Ambikapur, District Sarguja(CG) for the offence punishable under Section 21(B) of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the case of prosecution, on a secret information police seized 30.45 gm brown sugar(narcotic substance) from the possession of the applicant while he was standing near Brahma Road Chambothi Talab, Ambikapur.
3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely

implicated in the present case. He further submits that the brown sugar seized from the possession of the applicant is less than commercial quantity. He submits that charge sheet has been filed and the applicant is in custody since 3.5.2019 and trial will likely to take some time, therefore, the applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application. He further submits that 5 more cases of similar nature have been registered against the applicant.
5. I have heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, particularly considering that 5 cases of similar nature have already been registered against the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the application filed under Section 439 Cr.P.C. is dismissed.
8. Certified copy, as per rules. Sd/

(Rajani Dubey)
JUDGE