

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8691 of 2018

- Shyamji Mishra S/o Govind Prasad Mishra Aged About 31 Years R/o Ward No. 1 Near Jai Pratap Madao Post Misirgama, Thana Naigadi District Riwa M. P., District : Rewa, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kondagaon District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Non-applicant

For Applicants	: Shri Nitansh Jaiwal on behalf of Shri Vikash Pradhan, Advocates.
For Non-applicant	: Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

03.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 211/2018 registered at Police Station – Kondagaon District Kondagaon (C.G.) for the offence punishable under Sections 20-B of the NDPS Act, 1985.
3. Case of the prosecution, in brief is that on 24.08.2018 in the waiting hall of bus stand Kondagaon at about 5 pm ASI Jitendra Nande posted at Kondagaon seized 10.40 Kg cannabis from the possession of the applicant.
4. Learned counsel for the applicant argued that applicant is in custody since back 24.08.2018, the applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the facts and circumstances of the case, looking to the huge quantity of the cannabis, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE