

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9205 of 2018**

- Karan Dhruwansi S/o Hinchharam Dhruwansi Aged About 55 Years
R/o Near The Baniya Talab Makeswar Ward, Dhamtari, P. S. City
Kotwali, Dhamtari, Tahsil And District Dhamtari CG

---- Applicant

Versus

- State of Chhattisgarh Through Dhamtari, P. S. City Kotwali, Dhamtari,
Tahsil And District Dhamtari CG

---- Respondent

For applicant	Mr. Vijay Deshmukh, Adv.
For Respondent/State	Mr. Suryakant Mishra, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****4-1-2019**

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. 489/2018 registered in police station City Kotwali, Dhamtari (CG) for offence punishable under Section 20-B of the NDPS Act.
3. Perused the case diary.
4. Prosecution story in brief is that on 17-10-2018 at about 15.45 hour, at Makeswar Ward, Dhamtari, Sub Inspector Sukhendra Singh posted at PS Dhamtari seized 4.800 kg cannabis from the possession of the applicant.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated. He further submits that in different papers of prosecution, different quantities of cannabis have been shown, the IO and the informant is the same person, thus investigation is vitiated. The applicant is in jail since two months. These circumstances are sufficient for grant of bail to the applicant. Thus he may be released on bail.
6. On the other hand, the State Counsel opposed the bail application and submitted that 14 criminal cases have been registered against the applicant, out of which 7 cases are under NDPS Act, 2 cases are under IPC and 5 cases are under Cr.P.C.

7. The aforesaid facts and circumstances raised by the counsel for the applicant are not sufficient to release the applicant on bail.
8. Looking to the facts and circumstances of the case, looking to the fact that 14 other criminal cases have been registered against the applicant, and also considering the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
9. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge