

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.254 of 2019**

Tarik Khan, S/o Kalu Khan, aged about 21 years, Caste Raged Rajput (Muslim),
R/o Yusuf Nagar Galgosa, P.S. Khurja, Tahsil Adhora, District Bulandsahar
(U.P.). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Nagarnaar, District Bastar (CG).

----Non-applicant**AND****MCRC No.9053 of 2018**

Mohammad Chaman, S/o Samad Khan, Caste Ragad Rajput (Muslim), aged
about 21 years, R/o Yusuf Nagar Galgosa, P.S. Khurja Tahsil Adhora, District
Bulandsahar (U.P.). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Nagarnaar, District Bastar (CG).
---- Non-applicant

For Applicants : Mr. Vikas A. Shrivastava, Advocate

For Non-applicant : Mr. Vinod Kumar Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****11.01.2019**

1. Above mentioned two bail applications arise out of a common Crime No.28/2016 registered at Police Station Nagarnaar, District Bastar for the offence punishable under Section 20(B) of NDPS Act, therefore, they are being heard analogously and decided by this common order. All the two are first bail applications filed under Section 439 of the CrPC.
2. Prosecution story in brief is that on 16.02.2016 at about 7:30 a.m. near Choukabada Chowk, P.S. Baghel, A.S.I. posted at police station Nagarnaar seized 11 kg cannabis from the applicant-Mohammad Chaman and 11 kg cannabis from applicant-Tarik Khan.
3. Counsel for the applicants submitted that the applicants are innocent and have been falsely implicated in the present case and as such the applicant may be released on bail
4. Counsel for the State opposed the prayer for grant of bail however he submitted that no criminal antecedent is reported against the applicants in

police case diary.

5. Looking to these facts and circumstances of the case, looking to the huge quantity of seized cannabis, this Court is not inclined to give benefit of Section 439 of CrPC to the applicants. Consequently, the bail applications (M.Cr.C. No.254/2019 & M.Cr.C. No.9053/2018) are rejected. However, the trial Court is directed to expedite and conclude the case in accordance with law as early as possible from the date of receipt of certified copy of this order.
6. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-