

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9621 of 2018**

Sudhram S/o Lohar Nageshiya Aged About 50 Years Caste
Nageshiya, R/o Village Khojamba, Gaylunga, Police Station
Bagicha, District Jashpur Chhattisgarh

----Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police
Station Bagicha, District Jashpur Chhattisgarh

---- Respondent

For applicant	Mr. Sanjeev Sahu, Adv.
For Respondent/State	Mr. S.R.J. Jaiswal, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****15-1-2019**

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. 121/2018 registered in police station Bagicha, Distt. Jashpur (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 9-9-2018, at about 16 hr. at village Khojamba Gaylunga from ridge of the field of applicant 48 plants of cannabis were seized by Inspector Rajesh Marai, PS Bageecha.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated. He further submits that the alleged cannabis plants have been seized from the ridge between the fields of applicant and his neighbour. He was not in exclusive possession of the cannabis plants. Thus he may be released on bail.
6. On the other hand, the State Counsel opposed the bail

application. However, there is no criminal antecedent of the applicant reported in the police case diary.

7. 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, looking to the quantity of cannabis plants seized, this Court is not inclined to grant bail to the applicant.
8. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge