

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 7834 of 2019**

Somnath Sahu S/o Vidiyadhar Sahu Aged About 30 Years R/o Village Ankula, Thana Aatogarh, District- Katak, Odisha.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station- Kusmunda, District- Korba, Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. Vikash Pradhan, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****02/12/2019**

1. This is a second application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 180/2017 registered at Police Station Kusmunda, District Korba, Chhattisgarh for the offence punishable under Section 20(B)ii(c) of the Narcotic Drugs and Psychotropic Substance Act, 1985. The first bail application was dismissed as withdrawn vide order dated 16.11.2018 passed in MCRC No. 7112/2018.
2. Considering the fact that the prosecution has in the process examined 13 out of 21 witnesses and the Investigation Officer is yet to be examined. Moreover, the total quantity of contraband seized in the instant case is more than 90 Kgs. This Court was not inclined to grant bail at the first instance, when first bail application came up for hearing on 06.11.2013. This Court had directed the trial Court to ensure that the trial is concluded at the earliest. Reiterating the same, this Court further is of the opinion that the trial Court should make all efforts in calling for the witnesses to remain present on

each of the dates fixed as per the trial programme and ensure that the witnesses are examined as per schedule without any unnecessarily adjournments and delay being caused to the trial.

3. Considering the quantity of contraband seized and the fact that 13 of the witnesses have already been examined and the investigating officer is also yet to be examined, this Court does not find any strong case made out by the applicant for grant of bail at this juncture.
4. The present bail application thus fails and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved