

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1331 of 2020**

- Bablu Rajak S/o Kailash Chand Rajak Aged About 41 Years R/o House No. 20 Vishwakarma Colony Bypass Road Karod Bhopal, M.P.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station - Tongpal District - Sukma Chhattisgarh.

---Non-applicant

For Applicant : Shri Vikas Shrivastava, Advocates

For Non-applicant : Ku. Veena Nair, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10.8.2020.**

1. Proceedings of this matter have been taken up through Video Conferencing.
2. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for release of him on regular bail during trial in connection with Crime No. 30 of 2019 registered at Police Station Tongpal Distt. Sukma (CG) for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. Case of the prosecution, in brief, is that, 19.50 Kg of ganja was

recovered from the possession of the present applicant along with co-accused and thereby committed the aforesaid offence.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has falsely been implicated in crime in question. He is in jail since 26.7.2019 and trial is likely to take time for its conclusion. He further submits that provisions of Section 50 of the NDPS Act has not been complied with.

5. On the other hand, learned counsel for the State opposes the bail application.

6. I have heard counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts & circumstances of the case, nature and gravity of offence, pre-trial detention of the applicant and considering that quantity of narcotic drugs recovered from the applicant i.e. 19.50 Kg ganja, which is slightly less than commercial quantity, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is hereby rejected.

Sd/-
(Sanjay K. Agrawal)
JUDGE