

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1288 of 2020**

Santosh Kumar Suryavanshi, aged 30 years, S/o Harnath Singh R/o Vil:
Lashuriyashekhu, PS-Ichawar, Dist: Sihor (M.P.)

---Applicant

Versus

State of Chhattisgarh Through P.S.-Darbha, Dist. Bastar (CG)

---Non-Applicant

For Applicant	:	Mr.Anchal Kumar Matre, Advocate
For Non-applicant	:	Mr.Ayaz Naved, Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

4/6/2020

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for release him on regular bail during trial in connection with Crime No.58/2017, registered at Police Station-Darbha, Distt.Bastar (CG), for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substance Act, 1985 (hereinafter called as 'NDPS Act').

2. Case of the prosecution, in brief, is that 250 kg. of ganja was recovered from possession of the present applicant and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that seizure witnesses have been examined and they turned hostile. The applicant has been arrested on 25.9.2017 and trial is likely to take time for its conclusion.

4. On the other hand, learned counsel for the State would oppose the

bail application.

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

6. Taking into consideration the facts & circumstances of the case, nature & gravity of offence, considering the fact that huge quantity of ganja was recovered from possession of the present applicant and the provisions contained in Section 37(1)(b)(ii) of the NDPS Act, I do not find any good ground to entertain this bail application. Accordingly, the bail application filed under Section 439 of the CrPC is rejected. However, considering the fact that the applicant is in jail since 25.9.2017, the trial Court is directed to expedite the trial and conclude the same as early as possible preferably within a period of three months from the date of receipt of copy of this order.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-