

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3898 of 2020**

- Akash Agarwal S/o Late Ramesh Agarwal, Aged About 34 Years
R/o Bairon Bazar, Raipur, Police Station - Kotwali, District -
Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through - Police Station - City Kotwali,
District - Raipur Chhattisgarh.

---Non-applicant

For Applicant : Shri JK Gupta and Shri Devershi Thakur,
Advocates

For Non-applicant : Shri Ravi Bhagat, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****20.7.2020.**

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. 109 of 2020, registered at Police Station City Kotwali, Distt. Raipur (CG) for the offence punishable under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. Case of the prosecution, in brief, is that, 3.250 Kg of charas was recovered from the possession of the present applicant 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 18.3.2020 and trial is likely to take time for its conclusion.

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. 3.250 Kg, which is more 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