

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4717 of 2020**

Pradeep Karmi Son of Sagar Karmi, aged about 38 years, resident of Village-Jogendrapur, Police Station-Manumunda, District-Baudh (Orisha)

---Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station-Singhoda, District-Mahasamund (CG)

---Non-applicant

For Applicant	:	Mr.Yogeshwar Sharma, Advocate
For Non-applicant	:	Mr.Ayaz Naved, Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/08/2020**

1. Proceedings of this matter have been taken up through video conferencing.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.16 of 2017, registered at Police Station-Singhoda, District-Bhatapara (CG), for the offence punishable under Section 20-B(ii) (C) of the Narcotic Drugs Psychotropic Substance Act, 1985 (hereinafter called as 'the Act of 1985')
3. Case of the prosecution, in brief, is that, 70 kg. of contraband article ganja was seized from 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. The applicant was not driver from where the alleged contraband article has been seized and has been arrested on 27.12.2017 and trial is likely to take time for its conclusion on account of COVID-19, as such, the applicant may be enlarged on regular bail.

5. On the other hand, learned counsel for the State opposes the bail application and submit that the applicant was driver of the vehicle as stated by owner of the vehicle namely Achhut Tandi and 70 kg. of ganja has been seized from the present applicant which is more than commercial quantity, as such, he is not entitled for bail.
6. I have heard counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, nature and gravity of offence and considering the quantity of ganja i.e. 70 kg. (more than commercial quantity) and also considering the rigour of Section 37 (1) (b) of the Act of 1985, I am not inclined to grant bail to the applicant. Accordingly, the bail application filed on behalf of the applicant is rejected.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-