

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6259 of 2020**

- Rohit Kumar S/o Late Kejuram Sahu Aged About 40 Years
R/o Village Kamanbod, Police Station Singhanpuri Jungle,
District Kabirdham, Chhattisgarh (Wrongly Mention In Order
Sheet Singhpuri)

---- Applicant**Versus**

- The State Of Chhattisgarh Through The Station House
Officer, Police Station Singhanpuri Jungle, District
Kabirdham, Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Amit Kumar Sahu, Advocate and Mr. Rajkumar Pali, Advocate
For Respondent-State	:-	Mr. Rakesh Sahu, Dy.G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**03/12/2020**

1. Heard.
2. The applicant has preferred this application filed under
Section 439 of the Cr.P.C. for grant of regular bail as he is
arrested in connection with crime No.51/2020 registered in
Police Station Singhanpuri Jungle, District Kabirdham C.G.
for the offence punishable under Section 20(A) of the

Narcotic Drugs & Psychotropic Substance Act.

3. Applicant has been found to be growing 20 Cannabis plants.
Learned counsel for the applicant would argue that the kitchen garden from where the plants were recovered does not belong to the applicant, therefore, he cannot be treated to be in possession of the Cannabis plants.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Having seen the case diary, it appears the land from where the plants have been recovered was in possession of the applicant, therefore, it is difficult to appreciate at this stage that the applicant was not in possession of the land.
6. Considering the number of plants and the quantity of Cannabis, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application for grant of regular bail is dismissed.

SD/-

(Prashant Kumar Mishra)
Judge

Ayushi