

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7389 of 2019

- Jatot Balaji S/o Shri Shriram Aged About 29 Years Caste Lambada, R/o Vavilala, P. S. Nilikudur, District Mahbubabad State Telangana, Telangana

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Errabor, District Sukma State Chhattisgarh

---- Respondent

For Applicant	: Shri Shyam Sunder Lal Tekchandani, Advocate
For Respondent/State	:Shri B.L.Sahu, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

17/01/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.03/2019 registered at police station Errabor, district Sukma (CG) for the offence punishable under Section 20 (B) of the Narcotics Drugs and Psychotropic Substances Act

Case of the prosecution in brief is that on receiving information, police party apprehended a vehicle (swift dzire) which was going towards Dornapal from Odisha and seized 140 kgs. Of ganja from the possession of the applicant and other co-accused persons.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case and there is no direct evidence to prove that he is engaged in illegal transporting or doing the business of ganja. He further submits that the ingredients of the said offence are also missing. He submits that the applicant is in jail since 26.02.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the fact that the quantity of contraband seized from the possession of the applicant is more than the commercial quantity, I am not inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge