

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.907 of 2021

Ravi Kumar Yadav S/o Gulab Chand Singh, Aged About 24 years,
R/o Village-Dina Ward No.15, Police Station-Nokha, District-Rohtas
(Bihar)

(In jail)
---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station
Duldula, District Jashpur (CG)

---- Non-applicant

For Applicant: Mr.Sanjeev Kumar Sahu, Advocate
For Non-applicant: Mr.Suyash Dhar, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

5/2/2021

1. The accused/applicant has moved this second bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.60/2019, registered at Police Station Duldula, Distt. Jashpur for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act').
2. First bail application of the applicant has been dismissed as withdrawn with liberty to file afresh after examination of material witnesses.
3. Case of the prosecution, in brief, is that 145 kg. of ganja was recovered from possession of the present applicant and thereby committed the aforesaid offence.
4. Learned counsel for the applicant would submit that two prosecution witnesses namely Nandkishore Gupta and

Rajkishore Gupta have been examined and they have not supported the case of the prosecution and as such, the applicant is entitled to be released on bail.

5. Mr.Suyash Dhar, learned Panel Lawyer for the State would oppose the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, considering the quantity of ganja i.e. 145 kg. and considering the provisions contained in Section 37(1)(b) of the NDPS Act, I do not find any good ground to entertain this second bail application. Accordingly, the second bail application is rejected. However, considering the fact that the applicant is in jail since 29.8.2019, the trial Court is directed to expedite the trial and conclude the same expeditiously.

Sd/-

(Sanjay K. Agrawal)
Judge

B/-

