

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 1135 of 2021**

1. Bahadur Ram Kurre @ Pappu S/o Nandlal Kurre, Aged about 31 years, R/o Village Barhol, Police Station Ramanujnagar, Distt. Surajpur, Chhattisgarh.
2. Ramesh Kumar Dewangan S/o Raj Kumar Dewangan, Aged about 29 years, R/o Ramanujnagar, Police Station Ramanujnagar, Distt. Surajpur, Chhattisgarh.

---Applicants**Versus**

State of Chhattisgarh, Through Station House Officer, Police Station Patna, Distt. Koriya, Chhattisgarh.

--- Non-applicant/State

For Applicants :- Mr. Anil Gulati, Advocate
For State :- Mr. Ravi Bhagat, Dy. G.A.

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

12/02/2021

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 07/2020, registered at Police Station - Patna, District Koriya (CG), for the offence punishable under Section 20(B) of NDPS Act.

2. Case of the prosecution, in brief, is that 284 kgs of ganja was seized from the possession of the present applicants and they, thereby, committed the aforesaid offence.
3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in the crime in question. He would also submit that after withdrawal of the first bail application, two seizure witnesses have been examined namely Sunil Kumar and Mahendra Rajwade and further submit that the applicants are in jail since 03/01/2020, therefore, they be released on bail.
4. On the other hand, learned counsel for the State would oppose the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicants and taking into account the huge quantity of ganja seized i.e. 284 kgs and the provisions contained under Section 37(1)(b), I do not consider it a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under
Section 439 of the Cr.P.C. is dismissed.

8. Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet