

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1521 of 2021

- Raja Chouhan, S/o Dilawar Chouhan, Aged About 30 Years, R/o Talapara, Bilaspur, Police Station, Civil Line, Tahsil And District- Bilaspur, Chhattisgarh

---- Applicant (In jail)

Versus

- State of Chhattisgarh Through Station House Officer, Police Station- Civil Line, District- Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Shri Nitesh Shriwas, Advocate
For Respondent/State	: Shri Amit Kumrani, Pannel Lawyer

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

25.03.2021

1. Applicant has preferred this application under Section 439 CrPC for grant of regular bail as he has been arrested in connection with Crime No.746 of 2019 registered at Police Station Civil Line, Bilaspur CG for the offences punishable under Sections 21 and 22 of NDPS Act.
2. Case of the prosecution, in brief, is that on 03.11.2019, Police received secret information that some persons are dealing with drugs at Jarabhata, Bilaspur. On the basis of said information, Police seized 100 Amples Rexogesic injection and 30 Amples Avil injection from the possession of present applicant.
3. Shri Nitesh Shriwas, learned counsel for the applicant submits that applicant has been falsely implicated in the case. Two other co-accused who were also possessed with drugs have been enlarged on bail by this Court vide order dated 20.01.2020 in MCRC-7706 and 7875 of 2019. He submits that case of the present applicant is also on the same footing.

4. Shri Amit Kumrani, learned Panel lawyer for the State opposing the submission made by learned counsel for the applicant submits that the applicant is habitual offender, as many as four cases were registered against him in 2001, 2002, 2014 and 2015. He also submits that offence of 2015 in Crime No.323 of 2015 is under Sections 21 and 22 of NDPS Act.

5. I have heard learned counsel for the parties.

6. Taking into consideration the quantity of drugs seized from the possession of present applicant and further that earlier also he was involved in similar offences, I do not find it a fit case to enlarge the present applicant on bail. Accordingly, bail application is dismissed.

Sd/-
(Parth Prateem Sahu)
JUDGE