

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2353 of 2021

Pankaj Kumar Rai S/o Singheshwar Rai Aged About 27 Years R/o
Village, Ward 18, Village Khiroadhpur, Thana Kushropur, Block
Fatuha, District Patna, (Bihar)

---- Applicant

Versus

1. State Of Chhattisgarh, Through - Station House Officer, Police
Station D.R.I, Raipur Regional Unit, District - Raipur Chhattisgarh.
2. Directorate Of Revenue Intelligence (DRI) Through Deputy Director,
Regional Unit 30, Panchasheel Nagar, Civil Lines, Raipur 492001

---- Respondents

For applicant - Shri Mohit Kumar, Advocate.

For Respondent No.1/State – Shri Ashish Tiwari, G.A.

For respondent No.2 – Shri Ramakant Mishra, ASG.

Hon'ble Shri Justice Goutam Bhaduri

Order

11/08/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.40/2020 registered in Police Station D.R.I., Raipur Regional Unit, Distt Raipur (C.G.) for offence punishable under sections 20(c) and 29 of Narcotic Drugs & Psychotropic Substance Act.
2. As per the prosecution case, on an information received on 11/11/2020 when truck bearing No.C.G.0813166 was intercepted by the team of officers of DRI and the truck was searched from the cabin behind the driver cannabis were found which were after weightment found to be 697.255 kgs and no valid documents were produced, therefore the applicant and others were arrested.
3. Learned counsel for the applicant submits that the applicant is only driver, he had no knowledge that the cannabis were kept inside the vehicle, he was not in conscious possession of the cannabis, therefore

the applicant may also be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Learned counsel for respondent No.2 would submit that after tracing the applicant it was found that they were in the business and after phone call follow up they were apprehended. It is further submitted that the present applicant who claims to be driver also was involved in similar offence but could escaped earlier.

6. Perused the reply and the objection.

7. Having considered the reply, it appears that in the past there was similar incident to the credit of the applicant wherein he managed to abscond and reply indicates that there was syndicate who were involved in trafficking of the narcotic drug. It is stated that if the applicant is released then all the syndicate members would be again acting. Taking into such nature of reply and the quantity of cannabis which is seized, this court is not inclined to release the applicant on bail.

8. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE