

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4176 of 2021**

- Mahesh Kewat S/o Mangal Kewat Aged About 40 Years Caste Kewat, R/o Village Cholna, P.S. Jaithari District Annupur (M.P.),

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Kotwali, Jagdalpur, District Bastar Chhattisgarh

---- Respondent

For Applicant
For Respondent/State

Mr. Ashok Kumar Komra, Advocate
Mr. Mr. VR Tiwari, Additional Advocate
General with Mr. Vikram Sharma,
Dy. AG

Proceedings through Video Conferencing**SB.: Hon'ble Mr. Prashant Kumar Mishra, Ag. CJ**
Order On Board**29/7/2021**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.423/2020 registered at Police Station Kotwali, Jagdalpur, District Bastar (CG) for the offence punishable under Section 20(B)(ii) (C) of the NDPS Act.
3. The applicant along with co-accused were illicitly transporting 78

Kg of Ganja in a car bearing registration No.CG 12 Y 1600, when the same was intercepted near Nayak Transport, Hatakchaura on 17.9.2020. The *Mukhbir Panchnama* also records the number of the vehicle, in which, there was suspicion of transportation of illicit Ganja.

4. Learned counsel for the applicant submits that the applicant is the lawyer at Anuppur (Madhya Pradesh) and had come to Jagdalpur for his professional work and has been falsely implicated. He would also submit that the applicant was not aware that the driver of the vehicle co-accused Anand Ram was carrying Ganja, therefore, for this reason, he cannot be held responsible.
5. At this stage of proceedings, there is nothing to *prima facie* suspect the seizure of contraband made by the concerned Police, therefore, considering the restrictions on the Court's exercise for grant of bail as contained in Section 37 of the NDPS Act, I am not inclined to release the applicant on regular bail.
6. Accordingly, the bail application is dismissed.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice