

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceeding through video conferencing****MCRC No. 4374 of 2021**

- Rajneesh Upadhyay S/o Virendra Upadhyay Aged About 34 Years Caste Bramhan R/o Village Sonai Uchadih, P. S. Meja, District Prayagraj, Allahabad Uttar Pradesh.
- Paramesh Babu Patel @ Panchu Patel S/o Brijlal Patel Aged About 20 Years R/o Village Sobari Prayagpur, P. S. Manda, Tahsil Meja, District Prayagraj, Allahabad Uttar Pradesh.

---- Applicants

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Sarangarh, District Raigarh Chhattisgarh

---- Respondent

For Applicants - Shri Manoj Kumar Jaiswal, Advocate.
For Respondent/State - Shri Arjit Tiwari, Panel Lawyer.

Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice
Order on Board

09-08-2021

1. Heard.
2. The applicants have preferred the first bail application under Section 439 of the Cr.P.C., as they are arrested in connection with Crime No.170/2021, registered at Police Station – Sarangarh, District-Raigarh (C.G.) for the offence punishable under Section 20 B of the Narcotic Drugs and Psychotropic Substances Act.

3. 40 Kilograms of Ganja has been jointly recovered from the possession of both the applicants when they were traveling on Tata Safari vehicle.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the whopping commercial quantity of contraband Ganja recovered from them and the restrictions on Court's power to grant bail as contained under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, I am not inclined to release the applicants on bail reserving liberty in favour of the applicants to revive at an appropriate stage.
6. Accordingly, the present bail application of both the applicants is dismissed with the liberty aforesaid.

SD/-

(Prashant Kumar Mishra)
Acting Chief Judge

Amardeep