

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5412 of 2021**

V.V.R. Shrinivas Rao Son of V. Surya Rao, aged about 59 years
Resident of Village Door No. 5 - 100, Raghvendra Nagar, Bomru,
Rajmundari (Rural) Industrial Estate Godawari, Police Station Bomru,
District Godawari, Andhra Pradesh

---- Applicant

Versus

State of Chhattisgarh through Station House Officer, Police Station
Khamtarai, Raipur, Civil And Revenue District : Raipur, Chhattisgarh

---- Respondent

For Applicant	: Mr. Sunil Verma, Advocate.
For Respondent/State	: Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

06.12.2021

1. The Applicant has preferred this fourth bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 109/2018, registered at Police Station –Khamtarai, District- Raipur (C.G.) for the offence punishable under Section 20-B of NDPS Act.
2. First bail application was dismissed as withdrawn vide order dated 16.01.2019 passed in MCRC No.9915 of 2018.
3. Second bail application was dismissed as withdrawn with liberty to revive the same after six months vide order dated 02.12.2019 passed in MCRC No.5298 of 2019.
4. Third bail application was dismissed as withdrawn with liberty to revive the same after six months vide order dated 22.06.2020 passed in MCRC No.296 of 2020.
5. As per the prosecution story, on 10.02.2018, an information was received from an informant that one vehicle Ashok Leyland bearing

registration No. OD 30-2407, going towards Uttar Pradesh from Andhra Pradesh is carrying illicit cannabis (Ganja), which was driven by the present applicant and co-accused N. Shrinivasrao. On the basis of said, police officials searched and seized total 11 quintal and 14 kgs of illicit cannabis from the joint possession of the present applicant and co-accused. On the basis of said, offence has been registered. The applicant was arrested on 10.02.2018.

6. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He submits that charge-sheet has been filed and prosecution is unable to examine material witnesses of this case till date. He lastly submits that the Applicant is in custody since 10.02.2018 and trial is likely to take some more time. Therefore, he may be released on bail.
7. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
8. I have heard learned Counsel for the parties and perused the case diary with due care.
9. Considering the facts and circumstances of the case, particularly considering the fact that the vehicle was driven by the present applicant and other co-accused person namely N. Shrinivasrao, further looking to the huge quantity of seized contraband, I am not inclined to release the Applicant on bail.
10. However, Trial Court is directed to expedite the matter as early as possible.
11. A liberty is also granted to the applicant to revive the instant application for bail after one year, if trial is not concluded.

Sd/-

(Arvind Singh Chandel)
Judge