

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5781 of 2021**

- Ajay Kumar S/o Siyaram Singh Aged About 26 Years R/o Village- Bhaspur, Police Station- Ailau, District- Mainpuri, Uttar Pradesh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station- Chilphy, District- Kabirdham, Chhattisgarh

---- Respondent

For Applicant	:	Shri Gyan Prakash Shukla, Advocate
For State	:	Shri Ravish Verma, Govt. Adv.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****13/09/2021**

Heard.

This is repeat application for grant of bail. Earlier application was rejected on merits on 25/02/2021.

2. Prosecution case is that the applicants were found carrying 31.5 Kgs of Ganja.
3. Learned counsel for the applicant would submit that earlier the bail application was rejected on consideration on merits but other aspects of non-compliance of Section 50 of NDPS Act were not considered. He would submit that in the present case, the procedures to be followed under Section 50 of NDPS Act are totally vitiated. Therefore, on this consideration, the applicant may be granted bail.
4. On the other hand, learned State counsel opposes prayer and submits that the above submission was considered and rejected by this Court earlier.
5. In the present case, the narcotics are said to be found in huge quantity in a vehicle. This Court had considered this aspect earlier and rejected the application and

there is no scope of Section 37 (b) of NDPS Act. The application is, therefore, rejected.

However, taking into consideration that the applicant had remained in jail since 11/12/2019, which is more than 1½ years, learned Trial Court shall do well to conclude the Trial without granting unnecessary adjournments to any of the parties.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge