

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6617 of 2021**

1. Abhishek Jaiswal, S/o Kamlesh Jaiswal, aged about 20 years, R/o Village New Tikrapara, Ward No.31, Godripara, Police Station Chirmiri, District Korea (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Manendragarh, District Korea (CG)

---- Non-Applicant

For Applicant	: Smt. Ranjana Jaiswal, Advocate.
For Non-Applicant	: Shri Chandresh Shrivastava, Deputy AG.

Proceeding Through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag CJ****Order On Board****01/09/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.231/2020 registered in Police Station Manendragarh, District Korea for offence under Section 20-B of NDPS Act.
2. This is the 2nd bail application on behalf of the applicant. The first bail application was dismissed with liberty to revive at an appropriate stage.
3. The applicant along with co-accused were found in illicit possession of 164.500 kg of Ganja when they were travelling with the said contraband in a four wheeler.
4. Learned counsel for the applicant submits that the seizure witnesses

have not supported the prosecution, therefore, the applicant is entitled to be released on bail.

5. Ordinarily seizure witnesses turn hostile in cases involving offence under the NDPS Act.
6. Considering the huge quantity of contraband recovered from the accused persons and the parameters provided under Section 37 of the NDPS Act controlling the Court's power to release the accused on bail under Section 439 CrPC, I am not inclined to release the applicant on bail.
7. Accordingly, the Application is rejected.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

Barve