

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6995 of 2020**

1. Deepak Goswami, aged 26 years, S/o Shri Samay Goswami, R/o Kota, District Bilaspur (CG)

---- Applicant

**Versus**

- State Of Chhattisgarh Through P.S. Basna, District Mahasamund (CG)

---- Non-Applicant

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For Applicant : Ms. Deepti Shukla, Advocate.  
 For Non-Applicant : Shri Ayaz Naved, Govt. Advocate.

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**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****06/01/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.407/2020 registered in Police Station Basna, District Mahasamund for offence under Section 20-(B) of the NDPS Act.
2. The applicant is the driver of Mahindra TUV 300 vehicle which belongs to one Dev Muni Tiwari. Co-accused Bhupendra Pandey hired the vehicle for going to Jabalpur, however, he convinced the applicant to go to Mahasamund and when intercepted, the vehicle was found to be possessed of 38 kg 700 grams of illicit cannabis Ganja.
3. It is argued that the applicant is the driver of the vehicle and Ganja belongs to the co-accused, therefore, he is entitled to be released on bail.
4. Learned State Counsel would oppose the prayer for grant of bail. He would submit that the applicant was not arrested from the spot but was arrested after 10 days.
5. When Ganja was loaded, instead of going to Jabalpur, Bhupendra Pandey convinced the applicant to go to Orissa and he was carrying

Ganja in the vehicle. The applicant instead of refusing to transport Ganja, got himself involved in the incident. Therefore, considering huge commercial quantity of contraband recovered from the vehicle, as also for the reason that the applicant ran away from the place of occurrence, I am not inclined to release the applicant on bail. Accordingly, the application is rejected.

Sd/-  
**Judge**  
(Prashant Kumar Mishra)

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