

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6969 of 2021

1. Amarjeet S/o Premchand Verma, Aged About 36 Years R/o Village Lodhaura, P.S. Rajapur, District Chitrakoot (Uttar Pradesh).

---- Applicant

Versus

1. State Of Chhattisgarh, Through Police Station Chilfi, District Kabirdham (Chhattisgarh).

---- Non-Applicant

For Applicant	: Mr. Rishikant Mahobai, Advocate.
For Non-Applicant/State	: Mr. Afroz Khan, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

28/10/2021

- 1) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 05/01/2020 in connection with Crime No. 02/2020 registered at Police Station Chilfi, District Kabirdham (C.G.) for the offence punishable under Section 21(B) of the Narcotics Drugs and Psychotropic Substance Act.
- 2) As per the prosecution case, on 05/01/2020 the Police acting on the secret information, intercepted the vehicle Scorpio bearing registration No. CG17 T 0984 driven by the applicant which was heading towards Jabalpur and recovered 12 packets weighing 24 KG of Ganja from the said vehicle.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. The contraband has not been seized from the exclusive conscious possession of the applicant. He submits that the applicant is in jail since 05/01/2020. He submits that charge sheet has already been filed, there is no apprehension of the applicant tampering with the evidence or absconding and trial is likely to take some time

for its disposal. Therefore, the applicant be released on bail.

- 4) On the other hand, learned counsel for the State opposes the bail application. He submits that considering the seriousness of the offence, the quantity of contraband and the other material available in the case dairy, the applicant need not to be released on bail.
- 5) Heard learned counsel for the parties.
- 6) Considering the facts and circumstances of the case, the quantity of contraband seized from the possession of the applicant, true it that applicant is in jail since 05/01/2020, charge has already been framed by the Trial Court on 01/03/2021, the trial has commenced, I do not find present to be fit case for grant of bail to the applicant at this stage. Accordingly, the application is **rejected**.

**-Sd/-
(Gautam Chourdiya)
Judge**

Chandrakant