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**(2019) 08 CHH CK 0034**

**Chhattisgarh High Court**

**Case No:** Miscellaneous Criminal Case (MCRC) No. 5072 Of 2019

Acchelal Patel

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

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**Date of Decision:** Aug. 2, 2019

**Acts Referred:**

- Code Of Criminal Procedure, 1973 - Section 439
- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 20B

**Hon'ble Judges:** Sanjay K. Agrawal, J

**Bench:** Single Bench

**Advocate:** Kiran Jain, Arun Shukla

**Final Decision:** Dismissed

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**Judgement**

Sanjay K. Agrawal, J

1. The accused/applicant has moved this second bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail

during trial in connection with Crime No. 02/2017 registered at Police Station Kondagaon, District Kondagaon for the offence punishable under

Section 20-B of Narcotics Drugs and Pshcyotropic Substance Act, 1985.

2. First bail application moved by the applicant was dismissed as withdrawn.

3. Case of the prosecution, in brief, is that the 36.880 kgs of Ganja was seized from the possession of applicant.

4. Learned counsel for the applicant submits that seizure witnesses have been examined and they have not supported the case of the prosecution.

5. Learned State counsel opposes the bail application filed by the applicant.

6. Taking into consideration the facts and circumstances of the case, I do not find it a fit case to release the applicant on bail.

7. Accordingly, this second bail application is rejected.