



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 724 of 2024

1 - Shani Jaiswal S/o Krishna Kumar Jaiswal Aged About 37 Years R/o -Village Rehda Chungi, Police Station- Vindhyachal, District- Mirjapur (U.P.).

... Appellant

Versus

1 - State of Chhattisgarh Through- Aarakshi Kendra G.R.P. Raipur, District- Raipur, Chhattisgarh.

... Respondent(s)

Order Sheet

07/04/2025	Ms. Ranjana Jaiswal, Advocate for the appellant. Ms. Sunita Manikpuri, Dy. Govt. Advocate for the State. Heard on IA No.02/2024, an application for suspension of sentence and grant of bail. The appellant stands convicted under Section 20(b)(ii) (B) of the NDPS Act and sentenced to undergo RI for 7 years and fine of Rs.25,000/- with default stipulation, as ordered on 07.12.2023 in Special Criminal Case under NDPS Act No.95/2023 by the Special Judge (NDPS Act), Raipur. Learned counsel appearing for the appellant submits

that the alleged Ganja has not been seized from the exclusive possession of appellant. The notice given to appellant was joint notice given to three persons and there are various discrepancies in search and seizure proceeding. The independent witnesses have not supported the prosecution case. The appellant is in jail for about two years therefore, he may be enlarged on bail.

The State counsel opposes the bail application and submits that total 15 KG of Ganja has been seized from the appellant and looking to the nature of offence he is not entitled for bail.

Considering the submissions made by the counsel for the parties; considering the nature of allegation as well as the fact that total 15 KG of Ganja is said to have been seized from the appellant, I am not inclined to release the appellant on bail.

Accordingly, IA No.02/2024 stands rejected.

List it immediately after three weeks for final hearing.

Sd/-
(Ravindra Kumar Agrawal)
Judge