

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p>CRMA No. 44 of 2020 IA No. 4177 & 4178 of 2021 In CRLA No. 13 of 2020</p> <p><u>Shri Sanjaya Kumar Mishra, ACJ.</u> <u>Shri Ramesh Chandra Khulbe, J.</u></p> <p>Mr. Bilal Ahmed, learned counsel for the appellant.</p> <p>Mr. J.S. Virk, learned Deputy Advocate General with Mr. Rakesh Kumar Joshi, learned Brief Holder for the State.</p> <p>Mr. Shobhit Saharia, learned counsel for the Narcotics Control Bureau.</p> <p>Heard learned counsel for the parties.</p> <p>No good ground is made out to enlarge the applicant on short term bail, hence, both the Short Term Bail Applications (IA No. 4177 & 4178 of 2021) are rejected.</p> <p>Accused-appellant has been convicted under Section 8/20 (b) (11) (c) of NDPS Act by the learned Special Judge NDPS Act, Dehradun in Special Session Trial No. 140 of 2017 State Vs. Bhura Ansari, vide judgment and order dated 05.11.2019 and sentenced to undergo 20 years rigorous imprisonment and to pay fine of Rs. 2,00,000/- and in default to further undergo two years simple imprisonment.</p> <p>It is apparent from the record that there is no violation of Sections 42 and 50 of NDPS Act, as advanced by the learned counsel for the appellant. Moreover, the chemical examination</p>

report is conclusive that the substance examined by the chemical examiner was Charas.

In that view of the matter, we are of the opinion that rigour of Section 37 of the NDPS Act applies to this case and therefore, the appellant is not entitled for suspension of sentence and grant to bail.

Therefore, the bail application (CRMA No. 44 of 2020) is dismissed.

Urgent certified copy of this order be supplied to the learned counsel for the parties, as per Rules.

(R.C. Khulbe, J.) (S.K. Mishra, ACJ.)

22.03.2022

A/-