

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2381 of 2016

- Manohar Khatwani S/o Late Kanhaiya Lal Khatwani Aged About 62 Years Occupation Business, R/o Hemunagar, Ward No. 38, House No. 396, District Bilaspur, Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Line, Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Uttam Pandey, Advocate.
For Respondent /State	: Shri U.N.S.Deo, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

19/05/2016

The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 134/2016, registered in Police Station Civil Line District : Bilaspur for offence punishable under Section 21 and 22 of the NDPS Act.

2. The applicant was allegedly found in possession of 210 tablets of Nitrocin, each containing 10 mg. of psychotropic substance.

3. Counsel for the applicant would submit that the applicant is aged about 62 years and is in jail since 25.02.2016. He would also submit that the total quantity of the psychotropic substance added together would come to 2.1 grams which is a small quantity, attracting maximum punishment of RI for one year and fine of Rs. 10,000/-.

4. State counsel would oppose the application. However he would submit that the concerned S.H.O. has not reported any previous criminal antecedent of similar nature.

5. Considering the entirety of the case, in particular the age of the applicant and the length of pre-trial detention, I am of the opinion that it is a fit

case where the applicant can be released on bail. Accordingly, the bail application is allowed. It is directed that in the event of the applicant's executing a personal bond for a sum of Rs. 25,000/- with one surety for the like amount to the satisfaction of the trial Court, he shall be released on bail. He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

Prashant Kumar Mishra
Vacation Judge

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