**NAFR**

# HIGH COURT OF CHHATTISGARH, BILASPUR

## CRR No.1201 of 2016

1. Mohib Ali S/o Shaukat Ali, Aged About 24 Years R/o Imambada Chowk, Farid Nagar, Ward No. 7 Supela, Police Station Supela, District Durg Chhattisgarh

2. Gulrej Ali S/o Shaukat Ali, Aged About 30 Years R/o Imambada Chowk, Farid Nagar, Ward No. 7, Supela, Police Station Supela, Distt. Durg Chhattisgarh

**---- Applicants**

**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Supela, District Durg Chhattisgarh

**---- Respondent**

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Shri Avinash Chand Sahu, counsel for the applicant/s.
Shri B.Gopakumar, Dy.A.G. for the State.

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**30/01/2017**

This is an application for interim custody of the medicines seized from the applicant.

2. Learned counsel for the applicant submits that though the applicant is not involved in commission of any offence punishable under the law, only on apprehension, the medicines of total valuation of Rs.2,75,455/- have been seized from the possession of the applicant. He further submits that if the medicines are not sold in the market, it may be rendered inconsumable due to expiry.

3. On the other hand, learned State counsel submits that *prima facie*, case is made out because the applicant was found selling certain medicines without any authority.

4. Considering the submission of learned counsel for the parties, it appears

that what has been seized from the possession of the applicant are only medicines. Looking to the nature of allegations, I am not inclined to issue direction in favour of the petitioner by way of interim custody. The revision is therefore dismissed. However, the Trial Court is directed to proceed to get the medicines sold and the amount so collected upon sale may be duly deposited in the manner prescribed under the law with regard to deposit of cash. It would be subject to such order as may be passed by the Trial Court, at the time of conclusion of trial, regarding disposal of property.

Sd/-
**(Manindra Mohan Shrivastava)**
**Judge**

Deepti