

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.7180 of 2017

Shafeek Hussain S/o Sardar Hussain, age 30 years, R/o Shiv Nagar
Handi Para, P.S.Azad Chowk, District Raipur (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through – Police Station Azad Chowk, Civil and
Revenue District Raipur (C.G.).

---Respondent

For applicant	:	Shri Devershi Thakur, Advocate.
For resp./State	:	Ms.M.Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/12/2017

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.192/2017 registered at Police Station Azad Chowk, District Raipur (C.G.) for the offence punishable under Section 20(b) of N.D.P.S. Act.
2. Present applicant is in jail since 11/09/2017.
3. The allegation against the present applicant as per the prosecution case is that, the present applicant was found to be in possession of 12.610 grams of brown sugar on 11/09/2017.
4. The counsel for the applicant submits that, the statutory compliances required under the provision of NDPS Act has been fulfilled in the instant case and that the seizure witness who has examined before the Court below

has not supported the case of the prosecution and have turned hostile and thus prayed for releasing the applicant on bail.

5. The State counsel however opposing the bail application submits that, it is a case where the applicant was found to be in possession of brown sugar and which by itself is a serious offence and thus prayed for rejecting the bail application.

6. Having heard the contentions put forth on either side and taking into consideration the total quantity of brown sugar seized from the present applicant this Court does not find it to be a case for releasing the present applicant on bail at this juncture.

7. Accordingly, the bail application stands rejected.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE