

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7623 of 2017**

Ajaj Khan @ Chhota Babu S/o Rafique Khan, Aged About 25 Years
R/o Behind Masjid, Kelabadi, Durg District Durg Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Chowki
Padmanabhpur, P. S. Durg District Durg Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 7629 Of 2017**

Bashimuddin @ Simmi @ Malik S/o S/o Mukimuddin Malik Aged
About 28 Years R/o Taj Nagar Teka Char Khambha Chowk Near
Kabaddi Ground Police Station Panch Pawli Nagar Maharastra.

---- Applicant**Vs**

State Of Chhattisgarh Through Station House Officer, Police Chowki
Padmanabhpur, P. S. Durg District Durg Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Jitendra Gupta, Advocate.
For the Respondent/State	:	Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****12.02.2018**

1. Both these applications are decided by a common order as they arise from the similar matter. These are the second bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.737 of 2016, registered at Outpost Padmanabhpur, Police Station Durg, District – Durg, Chhattisgarh for the offence punishable under Sections 21, 27(A) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The first bail applications filed by the applicants in M.Cr.C. Nos. 7623 of 2017 and 7629 of 2017 have been rejected on merits by the Co-ordinate Bench of this Court on 27.6.2017.

3. Learned counsel for the applicants submits that applicant – Ajaj Khan @ Chhota Babu in M.Cr.C. No. 7623 of 2017 is in jail since 22.10.2016 and applicant – Bashimuddin @ Simmi @ Malik in M.Cr.C. No. 7629 of 2017 is in jail since 23.10.2016, which is more than 1 year 3 months at present and they have been falsely implicated in these cases. The trial of the case against these applicants has not made any progress during the period of detention. Hence, it is prayed that the applicants in both the cases be benefited with grant of regular bail.

4. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that the applicants in both the cases are habitual offenders dealing in narcotic substances. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

4. Heard counsel for both the parties and perused the case diary.

5. The previous application for bail filed by both the applicants were decided on merits and both the applicants were found to be not entitled for grant of regular bail. In the present circumstances, although the trial against these applicants have not completed till date but looking to the material

against these applicants, I am of the considered view that the second bail application of both the applicants is without substance.

7. Accordingly, both the second bail applications filed under Section 439 of the Cr.P.C. are rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge