

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2630 of 2018

- Parwej Ahmad S/o Riyaz Ahmad Aged About 38 Years R/o- M.L.A. Nagar, Baikunthpur, Tahsil Baikunthpur, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Patna, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate.
For Respondent : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

18/05/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.44/2018, registered at Police Station– Patna, District– Korea(C.G.) for the offence punishable under Sections 20 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 22.2.2018. No case is made out against him according to the material present in the charge-sheet. After completion of investigation, charge-sheet has been filed. He is local resident of District-Korea and is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that applicant be

enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that huge quantity of contraband have been found from the possession of this applicant. Hence, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. On the date of incident on 22.2.2018 on a search made by the police personnel of PS-Patna, District-Korea, 720 bottles Phencyrex Cough Syrup, 4800 piece Capsules of Spasma-Pyeevon Plus, 5040 piece Capsules of Spasma-Proxyvon Plus Capsules were found and seized from this applicant while he was traveling in a car. Hence, this case.
6. Looking to this fact that the applicant has no criminal antecedent and he is local resident of District-Korea and his availability before the trial Court shall not be compromised if he is enlarged on regular bail, for this reason, I am of this view that this is a fit case where applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha