

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3001 of 2018

- Mohd. Hakim @ Hatim @ Jubbi S/o Khadim Khan, Aged About 33 Years, R/o Miminpura, P. S. Ambikapur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P. S. Ambikapur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant – Smt. Hamida Siddique, Advocate.

For Non-applicant/State – Smt. M. Asha, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

19-06-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 06-01-2018 in connection with Crime No.17/2018 registered at P.S. - Ambikapur, District Surguja, Chhattisgarh for the offence under Section 21(C) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 06-01-2018. No case is made out against him and trial against him is still pending before the concerned Court. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that huge quantity of contraband has been recovered and seized from the possession of this applicant. Hence, he is not entitled for grant of bail.

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

5. Police personnel of P.S. Ambikapur made search of Auto bearing registration No. CG 15 CR 8870 occupied by two passengers and 750 bottles of cough syrup bearing trade name RC KUFF+COUGH syrup were seized from the possession of this applicant which contained prohibited narcotic substance Codeine. The quantity of codeine in the syrup so seized was more than less quantity and less than commercial quantity. Hence, this case.

6. Considered on the material present in the case diary and also the facts that the applicant is local resident of District Surguja and the trial against him is likely to take some time before its conclusion, hence, under these circumstances, I feel inclined to grant regular bail to this applicant during pendency of the trial against him.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge