

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8004 of 2017**

Jasmuddin S/o Shri Jalaluddin Khalifa, Aged About 47 Years R/o Village Parasdiha, Chowki, Wardraf Nagar, Police Station Basantpur, District Balrampur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Basantpur District Balrampur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri P.K. Patel, Advocate.
For the Respondent/State	:	Ms. K. Tripti Rao, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****01.03.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.103 of 2017, registered at Police Station – Basantpur, District – Balrampur, Chhattisgarh for the offence punishable under Sections 20(b) and 21(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 31.8.2017 and he has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident, the applicant is a practitioner of local medicines. On a search made by the police personnel of P.S. Basantpur, District Balrampur, 1.2 kg of ganja alongwith Elturex (cough syrup) in 10 numbers, Onerex (cough syrup) in 5 numbers and Tablet Alphapress in 120 numbers were seized from his possession and on the basis of which, the case has been registered against the applicant.
6. Considering the submissions and the contents of the case-diary, the applicant has no criminal antecedents and the quantity of other drugs seized from the applicants are below the small quantity as per the Schedule of NDPS Act, the applicant is a local resident of District Balrampur and the trial of the case is likely to take some time for its final disposal, the application deserves to be allowed.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge