

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5124 of 2018

- Salim Javed @ Lallu S/o Jakir Hussain Aged About 22 Years R/o Village- Majhganwa, Police Station Baikunthpur, Distirct- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant : Mr. D. N. Prajapati, Advocate.
For Respondent : Mr. N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

08/08/2018

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.109/2018, registered at Police Station– Baikunthpur, District– Korea(C.G.) for the offence punishable under Sections 21(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 09.06.2018. No case is made out against 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.
4. Heard both the parties and perused the case diary.
5. On the date of incident on 09.06.2018 on a search made by the police personnel of PS-Baikunthpur, District-Korea made a seizure of huge quantity of Phencyred-T Cough Syrup and Spasmo Prosyvon Plus Capsuls containing prohibited narcotic substance in the medicine seized from this applicant are more than lesser quantity but lesser than commercial quantity
6. Considered on the entire material present in the case diary and now the case is before the trial Court, for this reason, I am of this view that this is a fit case where the applicant should be released on bail during the pendency of the case against him.
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