

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7249 of 2018

- Mohd. Seraj @ Fudur S/o Mohd. Nazeer Aged About 42 Years R/o Village Palma (Wrongly Typed As Palga In The Lower Court Order Dated 18/09/2018) Police Out Post Chendra Police Station Jhilmili District Surajpur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Jhilmili District Surajpur Chhattisgarh,

---- Respondent

For Applicant	: Shri Surfaraz Khan, Advocate
For Respondent	: Smt. M.Asha, PL.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

27/10/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.116/2018 registered at police station Jhilmili district Surajpur (CG) for the offence punishable under Section 20 B of the NDPS Act.

As per prosecution case, on receiving the information, search was made by the police in the house of the applicant and contraband containing 3 kg.200 gms. was seized from the applicant which he had kept under the cot in a white plastic bag.

Counsel for the applicant submits that the contraband seized from him is less than commercial quantity and the applicant is in jail since 09.08.18. He submits that no case is made out against the applicant on the basis of material placed before the court by the prosecution.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegations against the applicant, I am inclined to enlarge them on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant furnishing a personal bond of Rs. 50,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge