

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7504 of 2017

- Mohd. Rafiq Khan S/o Mohd. Sharif Khan Aged About 24 Years R/o Hama Patewa, Damoh, District Damoh M. P. Present Address Rajput Nagar Madnepuri Delhi, Delhi

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station G R P Raipur District Raipur Chhattisgarh, Chhattisgarh

---- Respondent

For the applicant : Ms. Fauzia Mirza, Advocate

For the Respondent/State : Shri Vinod Tekam, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30.01.2018

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. 267/2017, registered at Police Station – G.R.P, District – Raipur (C.G), for the offence under Section 20 B of Narcotic Drugs and Psychotropic Substances Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. The applicant is in jail since 31.08.2017 and he is ready to abide by the conditions

which may be imposed upon him while granting bail, hence, it is prayed that the applicant may be released on bail.

3. Learned counsel for the State opposes the bail application and submits that the applicant is a permanent resident of another State of Madhya Pradesh and his present address is Delhi, if he is granted bail his appearance before the trial Court would be affected and that will affect the trial, hence, the applicant is not entitled for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. On secret information received the police personnel of PS-G.R.P, Raipur, searched and seized 8 kg ganja from the possession of the present applicant, and the case has been registered against him.
6. Considered, charge-sheet has been filed after completion of investigation and the trial is likely to take some time for its conclusion, hence, for this reason this Court is of the opinion that this is a fit case where the applicant should be released on 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 local 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