

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1893 of 2019

- Saifulla S/o Anwarul Haq, Aged About 35 Years, R/o Dabri Para, Ward No.-10, Baikunthpur, Police Station- Baikunthpur, District-Koriya, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station- Baikunthpur, District- Koriya, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Pushkar Sinha, Advocate.
For Respondent	:	Mr. Arun Shukla, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

22/04/2019

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant. The applicant has been arrested in connection with Crime No. 01/2019, registered at Police- Station- Baikunthpur, District- Koriya (C.G.) for the offence punishable under Sections 21(B) of N.D.P.S. Act.
2. Learned counsel for the applicant submits that no case is made out against this applicant. According to the evidence present in the prosecution case, the car from which the contraband has been seized is not owned and possessed by this applicant. Therefore, he has been falsely implicated and the charge-sheet has been filed. Therefore, it is prayed that this applicant be granted bail.
3. Learned State counsel opposes the bail application and submissions

made in this respect.

4. I have heard learned counsel for both the parties and perused the copy of deposition of witnesses filed along with the application.
5. The police personnel of Police Station- Baikunthpur, District- Koriya (C.G.) on the basis of an information received, arrived on the spot, where one Nano Car was parked and this applicant was present nearby. On search of the Nano Car, the contraband, cough syrup bottles and others having contents prohibited under N.D.P.S. Act were found, which were seized from the applicant's possession.
6. Considered the submissions made and the contents of the case diary. After considering on the entire material in the case dairy and for the reason that charge-sheet has been filed, I feel incline to allow this application.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge