

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3449 of 2019**

Faizal Khan, S/o Mohammad Khan, aged about 17 years, R/o Mohra Boribuda, Police Station Chandahandi, District Navrangpur (Orissa). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Payalikhband (Jugad), (wrongly mentioned as Payali Kheda in the order sheet), District Gariyaband (CG). **---- Non-applicant**

For Applicant : Mr. Navin Shukla, Advocate.
For Non-applicant : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

17.05.2019

1. Heard. Admit. Case diary is available.
2. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
3. The applicant has been arrested in connection with Crime No.13/2018 registered at Police Station Payalikhband (Jugad), District Gariyaband for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.
4. Case of the prosecution, in brief is that on 07.10.2018 at about 12:00 hrs in front of Police Station Jugad, ASI Prahlad Thakur posted at police station Payalikhband seized 3.500 kg cannabis from the possession of the applicant.
5. Counsel for the applicant submits that the applicant is an innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
6. On the other hand, counsel for the State opposes the bail application, however, he submits that no criminal antecedent is reported against the applicant in police case diary.
7. Looking to the above facts and circumstances of the case, the bail application is allowed. It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs.25,000/- to the satisfaction of the concerned Trial Court, he be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-