

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3631 of 2019**

Parmanand Yadav S/o Late Shri Narayan Yadav Aged About 36 Years R/o
Mandir Hasaud, Police Station Mandir Hasaud, District Raipur Chhattisgarh.,
District : Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Mandir Hasaud, District
Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Smt. Indira Tripathi, Advocate.
For the Respondent/State : Shri Ghanshyam Patel, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****17.07.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.192 of 2019, registered at Police Station – Mandir Hasaud, District – Raipur, Chhattisgarh for the offence punishable under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 2.5.2019 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. After completion of investigation, the charge-sheet

has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the prohibited drug that has been found in possession of this applicant was more than small quantity. Hence, for these reasons, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident, the seizure of some medicines were made from the pan shop of this applicant, out of which, Capsule Tramadol Hydrochloride containing the prohibited drug of weight about 33.55 mg which is more than small quantity but less than commercial quantity.

6. As the charge-sheet has been filed and there is no likelihood that the trial will be completed soon, therefore, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge