

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9157 of 2018

- Jainul Khan @ Kaila S/o Mohd. Nasruddin Khan Aged About 36 Years
R/o Aayan Marg, Rasulpur, Ambikapur, P. S. Ambikapur, District
Surguja Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Ambikapur, District Surguja Chhattisgarh

---- Respondent

For Applicant	: Mr. Dheerendra Pandey, Advocate.
For Respondent/State	: Mr. Sumit Singh, PL.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

08/02/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 16/2018, registered at Police Station Ambikapur, District Surguja (C.G.) for the offence punishable under Section 21 (C) of the NDPS Act.
2. As per the prosecution story, on 12.07.2018, on the basis of information received from an informant, investigation officer of the case searched the applicant and total 140 bottles of RC Cough Syrup each bottle containing 100 ml. have been seized from the possession of the applicant. On being examined the said bottles, it was found that around 28 grams of prohibited drug codeine phosphate available in the said bottles. The applicant has been arrested on 12.07.2018 itself.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant is in custody since 12-07-

2018 and trial will take some time, therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 12-07-2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)**

Judge