

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 557 of 2020

Kallu Khan S/o Aaftaf Khan Aged About 28 Years R/o Hemunagar, Torwa, P.S.
Torwa, Tehsil And District Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station- Sirgitti,
District- Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Mr. Shailendra Dubey, Advocate.
For Respondent/State	: Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

24/06/2020

1. The matter is heard through Video Conferencing.
2. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with Crime No. 410/2019, registered at Police Station: Sirgitti, District: Bilaspur (C.G.) for the offence punishable under Section 21 (a), 22 (b), 28 & 29 of NDPS Act.
3. According to the case of the prosecution, on 21.11.2019, on the basis of information received from informant, police officials searched and seized total 2260 units of Nitrajepam Tablets from the co-accused Pradeep Gond and 63 units of Onrex Syrup from the another co-accused Iqbal. In the memorandum statement of co-accused person namely Pradeep Gond, he disclosed the fact that these articles were supplied by the present Applicant to him. On the basis of said, offence has been registered.
4. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated only on the basis of statement of co-accused person namely Pradeep Gond. He submits that main allegations are against the co-accused Iqbal, therefore, it is prayed that the Applicant may be granted benefit of anticipatory bail.
5. Per contra, learned counsel appearing on behalf of State as well as counsel for the objector opposes the bail application.

6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case and arguments adduced by the counsel for the parties, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the Applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. The applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge