

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5300 of 2020**

Sohail Khan, S/o – Abrar Khan, Aged about 25 years, R/o – Gali No. -2,
Moudahapara, P.S. - Moudahapara, P.S. - Moudahapara, District – Raipur, (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through – S.H.O., Police Station – City Kotwali, Raipur,
District Raipur (C.G.)

----Non-applicant

For Applicant	: Mr. Pushkar Sinha, Advocate.
For Non-applicant/State	: Dr. Veena Nair, Dy. Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

31/08/2020

- (1) Proceedings of this matter have been taken up through video conferencing.
- (2) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 109/2020 registered at police Station City Kotwali, Raipur for the offence punishable under Section 21(b) of the Narcotic Drugs and Psychotropic Substance Act, 1985.
- (3) Case of the prosecution, in brief, is that the present applicant was found in possession of 645 grams charas unauthorizedly and without authority of law and thereby committed the aforesaid offence.
- (4) Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question as he has not committed any offence. He submits that the quantity of

charas i.e. 645 grams seized from the possession of the applicant is more than the small quantity but less than the commercial quantity and the applicant has been arrested on 17.03.2020 and the trial is likely to take time for its final disposal and, therefore, the applicant may be released on bail.

(5) On the other hand, counsel for the State opposes the bail application.

(6) Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, looking to the huge quantity of charas i.e. 645 grams seized from the exclusive possession of the applicant; I am not inclined to release the applicant on bail, Thus, the bail application is rejected.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

