

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8168 of 2019

- Faiyyaz Khan S/o Yunus Khan Aged About 25 Years R/o Camp-1, Road No. 18, Sangram Chowk, Near Manish Furniture, Police Station Chhawani Bhilai, District Durg Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Chhawani, District Durg Chhattisgarh

---- Respondent

For Applicant : Shri Sanjay Kumar Agrawal, Advocate
For Respondent/State : Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

03/02/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 751/2019 registered at police station Chhawani, district Durg (CG) for the offence punishable under Sections 20 (B) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, on receiving secret information, search was made and the applicant was found in possession of 9.500 grams of *ganja*.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime and the seized contraband was less

than commercial quantity. He submits that the ingredients of alleged offence is not attracted against the applicant; the applicant is in jail since 25.11.19 and the trial may take some time for its disposal and therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant and that it is his first offence, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge