

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 513 of 2021

- Shashikant Tiwari S/o Shri Gangaram Tiwari Aged About 24 Years R/o Village Nareshpur, Police Station And Tehsil Surajpur, District Surajpur (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Pratappur (Police Chowki - Khadgawa) District - Surajpur (Chhattisgarh)

---- Respondent

For Applicant	: Shri Sarfaraz Khan, Advocate
For Respondent/State	: Ms. Ishwari Ghritlahare, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/04/2021

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.161/2020 registered at police station Pratappur, district Surajpur (CG) for the offence punishable under Section 21(C) of the NDPS Act.

Case of the prosecution in brief is that during patrolling, the police found the applicant in possession of one sealed plastic box containing 10 strips of Alprazolam tablets totalling to 600.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant has no

criminal antecedents and that the witnesses have not supported the prosecution case. He further submits that the applicant is in jail since 12.10.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion 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, 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