

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1939 of 2021**

- Abdul Ajim S/o Vahid Khan Aged About 31 Years R/o Nirala Nagar Bilaspur, Tahsil Bilaspur, District Bilaspur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station City Kotwali Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Shri Vikas Kumar Pandey, Advocate
For Respondent /State	: Shri Rakesh Sahu, Dy.GA

Hon'ble Smt. Justice Rajani Dubey
Order On Board By Virtual Hearing**12/05/2021**

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. 255/2020 registered at police station City Kotwali, Raipur (CG) for the offence punishable under Sections 22 (c), 25, 27 and 29 of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, on receiving information, the police seized 7 grams and 10 grams of cocaine from the co-accused persons and on the basis of their memorandum, the present applicant has been arrested.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that nothing has been seized from the possession of the present applicant. He submits that similarly placed co-accused namely Gaurav Shukla has been granted bail by the Apex Court in Spl. Leave to Appeal (Crl.) No. 2306/2021 (arising out of M.Cr.C. No. 8321/2020) vide order dated 04.05.2021 and therefore the present applicant may also be granted the benefit. He submits that the applicant is in jail since 08.10.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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 also that similarly placed co-accused has been granted bail by the Apex Court, 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)
Vacation Judge