

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2902 of 2021**

- Saddam Husain, S/o Shri Sattar, Hussain (Wrongly Mentioned In Lower Court Order), aged about 28 years, R/o Rogbahar, Thana - Bagabahar - Jashpur, District - Jashpur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Officer-in-Charge, Police Station - Lailunga, District - Raigarh, Chhattisgarh.

---- Non-applicant

For Applicant	:	Shri Faisal Akhtar, Advocate.
For Non-applicant/State	:	Shri Anil Tripathi, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

02.07.2021

1. Heard on the application filed under Section 439 of Cr.P.C. This is the first bail application filed for grant of regular bail. The Applicant has been arrested on 28.07.2020 in connection with Crime No. 159 of 2020 registered at Police Station Lailunga, District Raigarh (C.G.) for the offence punishable under Section 21(b) of Narcotic Drugs & Psychotropic Substance Act, 1985.
2. It is submitted by the learned counsel for the Applicant that Applicant has been falsely implicated in this case. The Applicant is in jail since 28.07.2020. Charge-sheet has been filed and the trial against him is not making any progress. Therefore, it is prayed that the bail may be granted to the Applicant.
3. The learned counsel for the State opposes the application and it is submitted that the case in which the Applicant was found in possession of the commercial quantity of the Psychotropic Substance, therefore, the Applicant

is not entitled to grant of bail.

4. I have heard the learned counsel for the parties and perused the record.
5. As per the prosecution case, total 50 bottles of R.C. cough syrup each containing 100ml, was seized from the joint possession of this Applicant and the co-accused-Shazaad Hussain, on the basis of which the offence has been registered.
6. Considered on these submissions. It appears that the trial against the Applicant is pending and it is getting extended due to the pandemic situation, therefore, I am inclined to allow this bail application.
7. Consequently, the application filed by the Applicants under Section 439 of Cr.P.C for grant of regular bail is hereby allowed.
8. It is directed that the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(**Rajendra Chandra Singh Samant**)
Judge