

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 3151 of 2021**

Umre Azam Khan, S/o Ayub Khan, aged about 33 years, Caste - Musalman,
R/o- Podi, Police Station - Khadgawan, District - Koriya, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through - S.H.O Police Station - Khadgawan District
Koriya, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pushkar Sinha, Advocate

For Respondent/State : Mr. Alok Nigam, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

07/07/2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.92/2021, registered at Police Station – Khadgawan, District – Koriya (C.G.) for the offence punishable under Section 20 (B) of Narcotic Drugs Psychotropic Substance Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 19.03.2021. Charge-sheet in this case has been filed and trial is likely to take sometime for its conclusion. Hence, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant has criminal records as he has cases against him under various provisions of Indian Penal Code, therefore, he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, police personnel of Police Station – Khadgawan made a seizure of 6 kg cannabis from the possession of this applicant. Hence, this case.
6. Considered on the submissions. As the case is now pending for trial and there is likelihood of delay in conclusion of the same and the applicant is in jail since 19.03.2021, hence for this reason, it would be proper to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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