

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3430 of 2021

- Mohd. Riyaz Khokhar @ Teli, Mohd. Taj Khokhar, aged about 40 years R/o Behind Masjid, Rotari Nagar, Amanaka, Raipur, District Raipur (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh through Station House Officer, Police Station Kabir Nagar, Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. Pushpendra Kumar Patel, Advocate
For Respondent/State	:	Mr. Shakti Singh Rajput, PL

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

06/07/2021

Heard.

1. This is the *first* bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No. 199/2020 registered at Police Station Kabir Nagar, Raipur (C.G.) for the offence punishable under Section 21-B of the Narcotic Drugs and Psychotropic Substance Act.
2. It is submitted that the applicant is innocent who has been falsely implicated in this case. He is in jail since 09/11/2020, charge-sheet has been filed and trial is likely to take some time, therefore, he may be released on bail.
3. Per contra, learned State counsel opposes the bail application and submits that the quantity of contraband seized from the applicant is

more than small quantity, therefore, the bail application may be rejected.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per prosecution case, on the date of incident the police personnels of Police Station Kabir Nagar, Raipur made a seizure of 416 grams of contraband (Charas) from the possession of this applicant.
6. Considered on the submissions. Taking into consideration the length of detention the applicant has undergone so far and there is likelihood of delay in conclusion of trial due to pandemic situation, I feel inclined to allow this bail application and release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge