

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4833 of 2021**

- Vasim Khan @ Babu Maxi S/o Shri Hafij Khan, Aged About 24 Years, R/o Damad Bada Wala Gali, Police Station Maudhapara, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh, Through- Station House Officer, Police Station Maudhapara, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

**----Non-applicant**

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For Applicant – Shri Syed Imtiaz Ali, Advocate.

For Non-applicant/State – Shri Amit Kumar Verma, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**17-08-2021**

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 03-12-2020 in connection with Crime No.136/2020 registered at Police Station – Maudhapara, District Raipur, Chhattisgarh for the offence under Section 21-B of the N.D.P.S. Act.
2. It is submitted by learned counsel for the applicant, that the applicant has been falsely implicated. The applicant is in jail 03-12-2020. Charge sheet has been filed and trial is likely to take some time. Therefore, it is prayed that the applicant be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that this applicant has three previous cases registered against him under various provisions of Indian Penal Code. Therefore, he is not entitled for grant of of bail.
4. Heard learned counsel for the parties and perused the case diary.
5. 750 tablets of brand name Nitrazepam having content of Nirtrazepam have been seized from the possession of this applicant. The total weight of the

tablets seized is 420 grams.

6. Considered on the submissions. The quantity of the psychotropic substance is more than small quantity and less than commercial quantity. Although the applicant has criminal antecedent, but there appears no reason to keep the applicant in continuous detention, therefore, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

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