

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5467 of 2021**

Aasif Khan S/o Bablu Khan Aged About 18 Years R/o Street No. 7, House Of Guddi Baji, Moudahapara, Police Station- Moudahapara, District : Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station- Dharsiwa, District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Kishore Narayan, Advocate.
For the Respondent/State : Smt. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****27.08.2021**

Heard.

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.341 of 2021, registered at Police Station – Dharsinwa, District – Raipur, Chhattisgarh for the offence punishable under Section 21(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 9.7.2021 and has been falsely implicated in this case. Hence, it is prayed that the applicant 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

contraband seized from the possession of this applicant is more than small quantity and further, the applicant has criminal antecedents having a case under the provisions of Section 25 of the Arms Act. Hence, for these reasons, he is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, 22 strips of Nitrazepam tablets, each strip contains 10 tablets, were seized from the possession of this applicant and the total seizure of tablets is 220 in number. Hence, this case.

6. Considered on the submissions. The conclusion of the trial is likely to take some time for its final disposal, therefore, I feel inclined to grant regular bail to the applicant.

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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-
(Rajendra Chandra Singh Samant)
Judge