

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5386 of 2021

- Utkarsh Singh S/o Shri Rakesh Bahadur Singh, aged about 19 years
R/o Village Khan Jahanpur Bakhari Post Parasdepudeh Salon
Raebareli Amethi, Distt. Raebareli Civil & Revenue Distt. Raebareli
(U.P.)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Civil Line, Distt. Raipur
(C.G.)

---- Respondent

For Applicant	:	Mr. Ajay Mishra, Advocate
For Respondent/State	:	Mr. Sameer Uraon, Govt. Advocate

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

26/08/2021

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. 264/2021 registered at Police Station Civil Line, Raipur (C.G.) for the offence punishable under Section 21-B of the Narcotic Drugs & Psychotropic Substance Act.
2. It is submitted that the applicant is innocent who has been falsely implicated in this case. The applicant is in jail since 22/06/2021, charge-sheet has been filed and trial is likely to take some time, therefore, prayer is made to release the applicant on bail.
3. Per contra, learned State counsel opposes the bail application and

submits that the quantity of contraband seized from the possession of the applicant is more than small quantity. The applicant is resident of Uttar Pradesh and he may not be available for trial, 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, 8 kg of Ganja was seized from the possession of this applicant. Hence, this bail application.
6. Considered on the submissions. As it appears that there is no criminal antecedent against this applicant and there is likelihood of delay in conclusion of trial, therefore, 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

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.M.P. No.880 of 2021

- Utkarsh Singh S/o Shri Rakesh Bahadur Singh Aged About 19 Years
R/o Village Khan Jahanpur Bakhari Post Parasdepudeh Salon Raebareli
Amethi District Raebareli Civil And Revenue District Raebareli Uttar
Pradesh

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station Civil Line District Raipur
Chhattisgarh

---- Respondent

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Office Reference

02-09-2021

1. This is an office reference put up before this Court for the reason that the incorrect description of the provision under N.D.P.S. Act has been made in the order dated 26.08.2021 in M.Cr.C. No.5386/2021.
2. Perused the order in M.Cr.C. No.5386/2021 and the record of the same, it is found that a clerical error has been committed in mentioning the offence, therefore, the prayer for modification is allowed. It is ordered that the mention of offence in the paragraph No.1 of the order, which is written as Section 21-B of the N.D.P.S. Act shall now be read as Section 20-B of N.D.P.S. Act hereinafter.
3. Copy of this order may be made a part of M.Cr.C. No.5386/2021.
4. Accordingly, the petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge