

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6288 of 2021

- Chandan Bala S/o Kailash, Aged About 21 Years, Occupation - Labour, R/o Village - Turrapani, Gandhinagar, Ambikapur District - Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer - Basantpur, District - Balrampur - Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

----Non-applicant

For Applicant – Mr. Sunil Tripathi, Advocate.

For Non-applicant/State – Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-09-2021

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 10-07-2021 in connection with Crime No.101/2021 registered at P.S. - Basantpur, District - Balrampur – Ramanujganj, Chhattisgarh for the offence under Section 22 (C) of N.D.P.S. Act.
2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated. He is in jail since 10-07-2021. No seizure of contraband has been made from the possession of this applicant. Therefore, there is no case present against him. Hence, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant was in company of the co-accused person from whose possession the psychotropic substance in commercial quantity has been seized. Hence, this case.
4. Heard learned counsel for the parties and perused the case diary.
5. On the date of incident police personnel of Police Station Basantpur,

District Balrampur-Ramanujganj made seizure of 95 numbers of Burenorphine Injection and 96 numbers of Pheniramine melete Injection, which have content of drugs which are prohibited under the N.D.P.S. Act, from the possession of the co-accused person. Only one motorcycle has been seized from the possession of this applicant.

6. Considered on the submissions. As the seizure of the contraband has not been made from the possession of this applicant, therefore, I am of this view that he is entitled for grant of bail.

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