

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.6666 of 2021

Prakash Sao @ Pappu S/o Rajendra Sao Aged About 25 Years R/o Ward No. 13,
Rajeevnagar, Behind Durga Timber, P.S.- Vaishali Nagar, Bhilai, Tehsil And
District- Durg, Chhattisgarh **---- Applicant**

Versus

State Of Chhattisgarh Through- District Magistrate, Durg, District- Durg,
Chhattisgarh, **---- Non-Applicant**

For the Applicant:	Shri Anmol Sharma, Advocate.
For the Non-Applicant/State:	Shri Sameer Uraon, Government Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24.09.2021

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.561/2021 registered at Police Station – Supela, District – Durg, Chhattisgarh for the offence punishable under Sections 8 & 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the Applicant submits that the Applicant is in jail since 19.07.2021 and has been falsely implicated in this case. The charge sheet has been filed. Hence, it is prayed that the Applicant may be enlarged on bail.
3. On the other hand, learned Counsel for the State, while opposing the bail application, submits that the quantity of contraband seized from the present Applicant is more than the small quantity and therefore, he is not

entitled to be released on bail.

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

5. According to the prosecution case, on the date of incident, 99 tablets of Alprazolam IP 0.5 MG and 30 tablets of Nitrest were found from the possession of the present Applicant in his motorcycle, which was kept hidden underneath the seat. Hence, this case.

6. Considering the submissions and the circumstances present in this case, it appears that the present Applicant does not have any criminal antecedents against him and the trial of the case is likely to take sometime for its conclusion and 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 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 trial Court for his appearance before the said Court as and when directed. In case any default is committed by the Applicant in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge