

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6896 of 2021**

Mohd. Hanif Qureshi, S/o. Mohd. Khwaja Miyan Qureshi, aged about 24 years, R/o. Rajpura Zoo Park Bahadurpura, Kishan Bagh, P.S. Hyderabad (Telangana)

---- Applicant

Versus

State of Chhattisgarh Through P. S. Arang, District Raipur Chhattisgarh

---- Respondent

For Applicant : Mr. Pragalbha Sharma, Advocate

For Respondent/State : Mrs. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

07/10/2021

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.425/2021, registered at Police Station – Arang, District Raipur (C.G.) for the offence punishable under Section 20(b) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 16.08.2021. Charge-sheet in this case has been filed and there is likelihood of delay in trial. Hence, it is prayed that the applicant may be released 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 applicant is resident of Telangana and in case he is released on bail, he may not be available for trial.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, 2.1 Kg of Ganja was seized from the possession of this applicant. Hence, this case.
6. Considered on the submissions. Taking into consideration the quantity of the contraband seized and further considering the fact that this applicant does not have any criminal antecedents, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge