

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7090 of 2021**

Firdous Khan Wife Of Yunush Khan, aged about 47 years (Which Has Not Been Mentioned In The Impuned Order Annexure A-1) Resident Of Jogi Bangla, House No. C-01, D.D. Nagar (Wrongly Mentioned As Ui.D. Nagar In The Impugned Order Annexure A-1) District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station D.D. Nagar, District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh

---- Respondent

WITH**MCRC No. 7249 of 2021**

Mubshira Samashi Khan S/o Yunus Khan, aged about 20 years, R/o Jogi Bangla, House No. C-01, D.D. Nagar, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station D.D. Nagar, District Raipur, Chhattisgarh.

---- Respondent

For Applicants	: Mr. C.R. Sahu, Advocate.
For Respondent/State	: Mr. Sameer Oraon, G.A.

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

07.10.2021

1. Heard.
2. As both the cases are arising out of same crime number, therefore, they are being decided by this common order.
3. This is the first bail application filed under Section 439 of the Code of

Criminal Procedure, 1973 on behalf of the applicants for grant of regular bail to them as they are in custody in connection with Crime No. 305/2021 registered at Police Station: D.D. Nagar, Raipur (C.G.) for offence punishable under Section 20-B & 29 of the N.D.P.S Act.

4. It is submitted by counsel for the applicants, that the applicants have been falsely implicated in this case. There is no case present against this applicant, hence, it is prayed that the applicants may be enlarged on regular bail.
5. On the other hand, learned counsel for the State opposes the bail application and submissions made in this respect.
6. I have heard counsel for both the parties and perused the case diary.
7. As per prosecution case, it is alleged that 67 piece of 7 strip Nitrosun-10 tablet total 37.587 gram and 6 strip Spasmo-proxyon + capsule 48 piece total 29.70 gram were seized from the applicant Mubshira Samashi Khan. The applicant Firdous Khan was in company of the applicant Mubshira Samashi Khan when the seizure was made.
8. Considered on the submissions, it appears that the applicants do not have any criminal antecedents and the seized articles are not commercial quantity, therefore, I feel inclined to allow the application of these applicants.
9. Accordingly, the bail application filed under Section 439 of the Cr.P.C is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge