

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8075 of 2021**

Gurjeet Singh, S/o Dalbir Singh, aged about 21 years, R/o- Shubhash Chowk Road No. 18, P.S. Chawni, Bhilai,, District Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through – Station House Officer, P.S.-Chawni, District Durg (CG.)

----Non-applicant

For Applicant	:	Mr. Vijay Kumar Sahu, Advocate on behalf of Mr. Avinash Chand Sahu, Advocate.
For Non-applicant	:	Mr. B.P. Banjare, Dy. Govt. Advocate.

Hon'ble Mr. Justice N.K. Chandravanshi**Order On Board**

11-11-2021

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail in connection with Crime No. 457/2021 registered at Police Station Chawni, District Durg (C.G.) for commission of offence punishable under Sections 20 & 22(b) of The Narcotic Drugs and Psychotropic Substances Act, 1985 (henceforth "NDPS Act")

(2) Case of the prosecution, in brief, is that on 12.08.2021, upon receiving secret information from the informant to the effect that applicant is selling narcotic substance without authority of law, police of Police Station Chhavni, District Durg went to the spot and seized 302 nos. SPAS-TRANCAN PLUS DICYCLOMIHE HCL TRAMADOL HCL ACETA MILLOPHPN CAPSULES Capsules in four strips from the illegal possession of the applicant, weight of one capsule was 0.62 milligrams and total weight of 302 capsules was 18.724 grams, which contained "TRAMADOL". On the basis of which, aforesaid offences have been registered against the applicant.

(3) Counsel for the applicant would submit that applicant has been falsely implicated in the crime in question, as no seizure of contraband article has been made from the exclusive possession of the applicant and the false seizure has been prepared. He would further submit that the applicant has no previous criminal antecedents of this nature and he is in custody since 12.8.2021, charge-sheet has already been filed, he is permanent resident of given address, therefore, there is no chance of tempering the witnesses or absconding of accused/applicant . Hence, he may be enlarged on regular bail.

(4) Per contra, counsel for the State opposes the submission made by counsel for the applicant stating that looking to huge quantity of narcotic substance seized from the illegal possession of the applicant , he is not entitled to be released on bail.

(5) Considered the submissions made by counsel for the parties and perused the case diary as well as material available on record.

(6) It appears from the bail application as well as case diary that charge-sheet has already been filed, applicant is in jail since 12.8.2021, as per State Counsel, there is no criminal antecedents against the applicant of this nature. I am inclined to allow this bail application.

(7) Accused/applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Certified copy, as per rules.

Sd/-
(N.K. Chandravanshi)
Judge

D/-

