

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9060 of 2020

- Ashfak Husain S/o Iqbal Aged About 30 Years R/o Sanjay Nagar, Tikrapara, Raipur, District Raipur (Chhattisgarh)

----Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Sarswati Nagar, District Raipur (Chhattisgarh)

---- Respondent

For Applicant	: Shri S.Imtiyaz Ali. Advocate
For Respondent/State	: Shri D.C. verma, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/04/2021

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 176/2020 registered at police station Saraswati Nagar, district Raipur (CG) for the offence punishable under Sections 21 of the NDPS Act.

Case of the prosecution in brief is that on receiving secret information the police intercepted and found the applicant carrying 156 bottles of Corex cough syrup and 160 bottles of Rankuf cough syrup.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime and he is in jail since 22.11.2020. He

submits that the offence is triable by Magistrate First Class and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion and therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed. It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge