



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1927 of 2024

1 - Siraz Ahmad @ Bablu S/o Late Niyaz Ahmad Aged About 45 Years R/o Jyoti Nagar, Near Mahant Talab, Kota, P.S. Sarswati Nagar, Raipur , District- Raipur C.G.

--- appellant

versus

1 - State Of Chhattisgarh Through - P.S. Amanaka Raipur, District - Raipur C.G.

--- Respondent(s)

CRA No. 2145 of 2024

1 - Imran Khan @ Montu S/o Rajjak Khan Aged About 25 Years R/o House No. L / 10, Rotary Nagar, Tatibandh, P.S. Amanaka, Raipur, District : Raipur, Chhattisgarh

---appellant

Versus

1 - State Of Chhattisgarh Through Police Outpost - Amanaka, Police Station - Raipur, District : Raipur, Chhattisgarh

--- Respondent(s)

04/04/2025	Mr. Sabyasachi Bhaduri & Mr. Palash Tiwari, learned counsel for the respective appellants. Ms. Pragya Shrivastava, Dy. Govt. Advocate for the Respondent/ State. Heard on I.A. No. 1 of 2024 in both the appeals which are the application for suspension of sentence and grant of bail to the respective appellants. Learned counsel for the respective appellants would submit that the appellants are innocent. There are discrepancies in search and seizure of the alleged contraband from the appellants. There is defect in the case that the Investigation Officer and the informant cannot be the same person whereas the present Investigating Officer himself is the informant which is the serious lapses in procedure of search and seizure proceeding. The independent witnesses have turned hostile and have not supported the prosecution case. The appellants are in jail since 01.08.2023 and final adjudication of the appeal will take

sagrika	its own time, therefore, the the appellants may be released on bail. On the other hand, the learned counsel for the State opposes and has submitted that total 150 bottles of intoxicating cough syrup has been seized from the appellants which comes under the commercial quantity, considering the nature of allegation and the contraband seized from the appellants, they are not entitled for bail and their application for suspension of sentence and grant of bail may be rejected. I have heard learned counsel for the parties and perused the record. Considering the submissions made by the learned counsel for the parties, considering the nature of allegation, further considering the fact that total 150 bottles of intoxicating cough syrup has been seized from the appellants which comes under the commercial quantity and the evidence available on record, I am not inclined to release the appellant on bail. The I.A. No. 01 of 2024 in both the appeals are rejected. List this case for final hearing immediately after 04 weeks. Sd/- (Ravindra Kumar Agrawal) Judge
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