

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6346 of 2015

1. Arju Sahu @ Sukarwiser, S/o. Siddhanath Sahu, Caste-Teli, aged about 25 years, R/o. Village – Adarsh Chowk, Patna, Police Station – Patna, Tahsil – Baikunthpur, District – Korea (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Deputy Director, Food and Drug Administration, Ambikapur, District – Sarguja (C.G.), Incharge – Korea, Baikunthpur (C.G.)

---- Respondent

For Applicant	: Mr. K.N. Nande, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24/11/2015

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.nil, for the offence punishable under Section 18(C) read with Section 27(B), 26(A), 28(B) of Drugs and Cosmetic Act, 1980.
2. Case of the prosecution, in brief, is that the applicant was arrested for keeping possession of 1571 pieces Sposmo Probio Capsules, 3784 pieces of Spasmoproxyvon Plus Capsules and 18 bottles Corext Syrup Form No.16, without having any legal right to possess the said drug, which were recovered by the Drug Inspector.
3. Learned counsel for the applicant would submit that till date no offence has been registered and still the matter is being investigated and four time remand was obtained. He further submits that the applicant has been falsely implicated in this case and he is in jail since 30.09.2015,

therefore, prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact and the nature of the offence, still the investigation is going on and it has to be calculated what offence actually has been committed by the applicant and considering the seizure, I am not inclined to allow this application at this stage.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Balram