

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.762 of 2016

Rajendra Sahu, S/o Uma Shankar, aged about 35 years, Caste Teli,
R/o Village Bishrampur, Police Station Bishrampur, Tahsil & District
Surajpur, Civil & Revenue District Surajpur, Chhattisgarh.

---- Applicant

Versus

The State of Chhattisgarh, through Police Station Bishrampur, District
Surajpur, Chhattisgarh.

---- Non-applicant

For Applicant:	Mr. A.K. Prasad, Advocate.
For Non-applicant:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.275/2015, registered at Police Station Bishrampur, District Surajpur, for the offence punishable under Sections 17, 18C and 27B of the Drugs and Cosmetics Act, 1940.
2. Case of the prosecution, in brief, is that the applicant was found in possession of 116 pc Leegesik (Buprenorphine Injection I.P. 2 ml) and 67 pc Avil Injection (Pheniramine Maleal Injection I.P. 10 ml) and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the offence in question. Offence under Sections 17 and 18C of the Drugs and Cosmetics Act, 1940 are punishable under Section 27B of the

said Act which is bailable. The applicant is in jail since 19-11-2015 and charge-sheet has been filed.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant, defence of the applicant, charge-sheet has been filed, punishment prescribed for the aforesaid offence and his pretrial detention, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge