

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.3118 of 2017**

- Manish Patel S/o Shri Shlok Patel Aged About 30 Years R/o Village Sondihya, Police Station Chandora District- Surajpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Chandora, District- Surajpur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Anant Bajpai, Advocate
For Respondent/State	: Shri Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.10.2017**

Heard the matter finally.

2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 12.01.2017 in connection with Crime No.06/2017 registered in Police Station Chandora, Distt. Surajpur (CG) for the offence punishable under Section 21(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. As per the case of the prosecution, present applicant along with co-accused were found in illegal transportation of 120 bottles of COREX cough syrup and tablets of Galprex-0.25 and Re-zolame-0.5 contents of which is of 41.25 mg alprazolam and 24 gram codeine phosphate .

4. Learned counsel for the applicant submits that the applicant is already remained in custody for more than ten months. He further submits that the applicant has been found positive of HIV and that his condition is deteriorating the jail, therefore, on the ground of poor health, he may be granted bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Considering the facts and circumstances of the case, particularly the medical condition of the applicant and the period of custody already undergone, this Court is of the view that prima facie a strong case for grant of bail has been made out by the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the applicant shall 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 before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
JUDGE