

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 181 of 2018

Ashok Soni S/o Shri Jagdish Soni, Aged About 23 Years R/o Village
Parasdiha, Police Outpost- Wadraf Nagar, Police Station- Basantpur,
District Balrampur Chhattisgarh, Chhattisgarh --- **Petitioner**

Versus

State of Chhattisgarh through The Station House Officer, Police
Station- Basantpur, District Balrampur Chhattisgarh, Chhattisgarh ---
Respondent

For the applicant	:	Mr. Rishi Rahul Soni, Advocate.
For the Respondent	:	Mr. Suryakant Mishra, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.03.2018

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.102/2017 registered at Police Station Basantpur Distt. Sarguja (C.G) for the offences punishable under Sections 21(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. As per the prosecution case, on 31.8.2017 when a search was being made in the house of accused, 40 bottles of Elturex-T Cough Syrup each containing 100 ml, 10 bottles of phencyrex Cough Syrup each containing 100 ml and 2 bottles of Codistar Cough Syrup each containing 100 ml and 95 bottles of Alprafresh Tablets were found to be kept in a nylon bag and the same were seized from the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the drugs which were seized do not show that they contain any narcotic

substance and when the seizure was made, the mandatory provisions were not followed, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.

5. Perused the case diary documents. Considering the seizure memo wherein the aforesaid goods were shown to have been seized, I am not inclined to allow this bail application.

Accordingly, it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE

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