

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 682 of 2018

- Ashok Soni S/o Jagdish Soni, Aged About 23 Years, R/o Parasdiha Chowki Wadrafnagar, Police Station Basantpur, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Wadrafnagar, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Non-applicant

For Applicant – Mr. G.V.K. Rao, Advocate.

For Non-applicant/State – Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

28-03-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 31-08-2017 in connection with Crime No.102/2017 registered at P.S. - Wadrafnagar, District Balrampur-Ramanujganj, Chhattisgarh, for the offence under Section 21(B) of Narcotic Drugs and Psychotropic Substance Act.
2. It is submitted on behalf of the applicant that the applicant is in jail since 31-08-2017. Charge sheet has been filed after completion of the investigation. The applicant is resident of District Balrampur-Ramanujganj and he is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that the applicant may be released on bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. On 31-08-2017 on search made by police personnel of P.S. Balrampur, 40 numbers of Alteurex-T cough syrup, 10 numbers of Fansirex cough syrup, 2

numbers of Kodistar cough syrup, Alpafresh tablets 95 in numbers were seized from the possession of this applicant, in which, the total amount of Codeine Phosphate in cough syrup bottles was 10.4 milligram and the content of Alprazolam in the tablets seized was in total 47.5 grams, which was the quantity more than lesser quantity but less than commercial quantity. Hence, this case.

6. Considered on the submissions made and contents of the case diary.

7. As presently the case is before the trial Court and the trial is not concluded so far, the applicant is local resident of District Balrampur-Ramanujganj whose availability before the trial Court can be ensured, hence, I am of this view that this applicant should be released on bail during pendency of the trial against him.

8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby 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 as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge