HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2668 of 2018

- Vinay Kumar Gupta S/o Kedarnath Gupta Aged About 27 Years R/o- Village Navadih Chowk Sipat, Thana, Sipat, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station Incharge- Thana- Seepat, Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Arvind Shrivastava, Advocate.
For Respondent : Mr. V.B. Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

11/05/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.70/2018, registered at Police Station– Seepat, District– Bilaspur(C.G.) for the offence punishable under Sections 20 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 11.3.2018. No case is made out against him according to the material present in the charge-sheet. He is local resident of District-Bilaspur and is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that

applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.

4. Heard both the parties and perused the case diary.

5. On the date of incident on 11.3.2018 on a search made by the police personnel of PS-Seepat, District-Bilaspur, 458 bottles RELAXCOF-T(Codeine Phosphate & Triprolidine Hydrochloride Syrup), 2448 piece Capsules of SPASMO-PROXYVON PLUS, 7920 Capsules of SPAS-POKARAN Plus were found and seized. All these medicines had contents of prohibited drugs, hence, the case has been registered against this applicant. Hence, this case.

6. Considered on the material present in the case diary, the contents of the prohibited narcotic substance in the medicine seized from this applicant are more than lesser quantity but lesser than commercial quantity. It has been submitted by counsel for applicant that he is a licenced drug dealer and thus he had authority to store much medicines in his Medical Store.

7. After due consideration, I am of this view that this is a fit case where applicant should be granted regular bail during the pendency of the trial against him.

8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha