

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2640 of 2018

- Anup Agrawal S/o Suresh Kumar Agrawal Aged About 34 Years R/o Village Nadigaon Road, Sariya, P.S. Sariya, District Raigarh Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Sariya, District Raigarh Chhattisgarh

---- Non-applicant

For Applicant : Shri Shashi Bhushan Singh Patel, Advocate

For Non-applicant : Vijay Bhadur Singh, Panel Lawyer

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

18/05/2018

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. 85/2018, registered at Police Station- Sariya, District Raigarh (C.G.) for the offence punishable under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that the Applicant has not committed any offence and has been falsely implicated in this case. He further submits that the Applicant is in jail since 03.04.2018 and no case is made out against the Applicant. He also submits that the charge-sheet has not been filed and the trial is likely to take further sometime. He lastly submits that the Applicant is local resident of Village Nadigaon Road, Sariya, P.S. Sariya, District Raigarh (C.G.), therefore, he may be released on bail.

3. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned Police Station i.e. Sariya, District Raigarh, 140 bottles of Eskuf Cough Syrup has been seized from the possession of the Applicant.
4. Taking into consideration the totality of the circumstances and the fact that the quantity of seized Eskuf Cough Syrup and the applicant is in jail since 03.04.2018, this Court is inclined to release the applicant on bail.
5. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on 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.
7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge