

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3282 of 2018**

Sunil Jaiswal, S/o Shri Lallu Jaiswal, aged about 39 years, R/o Mahuwapara, Main Road, Tahsil & PS- Rajpur, Distt- Balrampur – Ramanujganj (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through Police Station – Rajpur, Distt.- Balrampur – Ramanujganj (C.G.)

---- Non-applicant

For Applicant	:	Mr. A.V. Shridhar, Advocate.
For Non-applicant	:	Mr. Anand Dadariya, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****27/06/2018**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 31/2018 registered at Police Station P.S. - Rajpur, Distt – Balrampur - Ramanujgaj for the offence punishable under Section 21 of The Narcotic Drugs and Psychotropic Substances Act, 1985.

(2) Case of the prosecution, in brief, is that applicant was found in possession of 50 bottles of cough syrup eskup and 13 strips of anzilum 0.5 mg unauthorizedly and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He further submits that quantity of medicine recovered is less than the small quantity; applicant is in jail since 20.02.2018 and the charge sheet has already been filed and,

therefore, the applicant is entitled to be released on bail.

(4) Per contra, counsel for the State would oppose the bail application.

(5) I have heard the counsel appearing for the parties and perused the case diary.

(6) Taking into consideration the nature and gravity of the offence, facts & circumstances of the case and further considering the facts that applicant is in detention since 20.02.2018; charge sheet has already been filed and the fact that quantity of medicine recovered is less than the small quantity; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(7) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

