

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3583 of 2018**

Shivam Agrawal S/o Laxmi Narayan Agrawal Aged About 25 Years R/o- Ward No. 07, Hatari Chowk Sakti, P.S. Sakti, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station Sakti, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Arvind Shrivastava and Shri Kamlesh Kumar Pandey, Advocates.
For the Respondent/State	:	Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****26.06.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.270 of 2018, registered at Police Station – Sakti, District Janjgir-Champa, Chhattisgarh for the offence punishable under Section 21(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 6.5.2018 and has been falsely implicated in this case. No case is made out against the applicant. The applicant is in transport business and owns a garage styled as Om Garage. The carton of some medicines was

booked for transportation by Paras Firm from Raipur to Sakti which was received on transport by the applicant in his garage. The transported article was to be delivered to Naresh Medical Store at Jaijaipur. It was in the meanwhile, the police raided the garage of the applicant and seized the article which did not belong to this applicant. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the documents which were sent for verification regarding the transport papers have been found to be correct by the Station House Officer, P.S. Sakti. Hence, the applicant is not entitled for grant of bail.

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

5. On 5.5.2018, the police personnel of P.S. Sakti raided the premises of Om transport of Sakti and found 14 cartons containing 1752 bottles of Ultrarex CD Cough Syrup 100 ml each. No document with regard to authorization of this article was found with the applicant. Hence, the case was registered against him.

6. Considered the material present in the case-diary. Subsequent to the verification of the documents regarding the articles concerned for transport by the applicant and the fact that being undisputed that this applicant is a transporter, I am of the opinion that the applicant in this case deserves to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge