

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5556 of 2018

- Shobharam Patel S/o Janakram Patel Aged About 49 Years R/o- Nawapara Kala Police Station Sakti, District- Janjgir-Chmapa, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant : Shri C.P. Lahrey, Advocate.
For Respondent/State : Shri Bhaskar Pyashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

13/09/2018

1. The applicant has preferred this Second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 265/2018, registered at Police Station Sakti District Janjgir-Champa (C.G.) for the offence punishable under Section 21 (B) of the NDPS Act.
2. First bail has been dismissed as withdrawn vide order dated 26.06.2018 passed in MCRC 3951/2018.
3. As per the prosecution story, on 04.05.2018, on the basis of secret information received from the informant, police authority conducted the raid and seized 150 bottles of R.C. cough syrup from the possession of the present applicant. On being examined total 30 grams of prohibited drug (codeine) has been found from him and he has been arrested on 04.05.2018.

4. Shri C.P. Lahrey, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case, he further submits that the applicant is in custody since 04-05-2018, charge-sheet has already been filed and trial will take some time. Therefore, he may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant is in custody since 04-05-2018, charge-sheet has already been filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge