

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5801 of 2018

- Rajesh Bhardwaj S/o Ramkhilawan Bhardwaj Aged About 26 Years R/o Village Uraiha, Police Station And Tahsil Pamgarh, District Janjgir- Champa, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Pamgarh, District Janjgir Champa, Chhattisgarh.

---- Respondent

For Applicant	: Shri Ravindra Sharma, Advocate.
For Respondent/State	: Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

23/08/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 133/2018, registered at Police Station Pamgarh, District Janjgir-Champa (C.G.) for the offence punishable under Section 21 of the NDPS Act.
2. As per the prosecution story, on 08-06-2018 Police Authority has received an information from the informant that present applicant has kept the banned drugs for sale in his medical store situated at Village Pamgarh, District Janjgir Champa (C.G.) without any legal license and the same are being used for the purpose of intoxication. Some prohibited capsules and 7 cough-syrup bottles (Relaxcof-T) have been seized from the possession of the present applicant, offence has been registered and the applicant was arrested on 08-06-2018.
3. Shri Ravindra Sharma, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case, he is the degree holder of pharmacy

and he is the owner of the medical shop, *prima-facie* no case is made out against him, he has not committed violation of license of pharmacy and the custody of excess quantity of drugs. He further submits that the applicant is in custody since 08-06-2018 and trial will likely to take some time, therefore, applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the seized quantity of drugs is not in the purview of commercial quantity, applicant is in custody since 08-06-2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. 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 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