

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6914 of 2018**

Mahendra Sahu S/o Kishanlal Sahu, aged about 28 years by caste- Sahu, R/o Village Pendri, P.S. & Tahsil Janjgir, District Janjgir-Champa (C.G.).

**--- Applicant****Versus**

State of Chhattisgarh, Through:- Station House Officer, Police Station Janjgir, District Janjgir-Champa (C.G.).

**---- Respondent**


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| For Applicant  | : | Mr. Om Prakash Sahu, Advocate |
| For Respondent | : | Mr. Vivek Singhal, PL         |

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Hon'ble Shri Justice Arvind Singh Chandel

**Order on Board****12/11/2018**

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 487/2018 registered at Police Station Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Section 21 of the NDPS Act.
2. As per prosecution story, on 12/08/2018 on the basis of information received from the informant, the medical shop of the applicant was searched by the Investigating Officer, who seized total 306 bottles of Cofmax Syrup each containing 100 ml, 1100 pieces of Alprajolam Tablets and 1440 pieces of Sparmo Praxovan Plus Capsule. On being examination, some prohibited drugs was found in the seized articles. It is alleged that the applicant without having any license/document was keeping those drugs in his medical shop. On the basis of above, offence was registered and the applicant was arrested on 13/08/2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated. He further submits that the applicant is running a Medical Shop and having a valid license which is valid from 21/11/2017 to 20/11/2022. He further submits that the quantity of prohibited drugs found in the seized articles is below commercial quantity. The applicant is in custody since 12/08/2018 and trial will take some time, therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the quantity of prohibited drugs found in the seized articles does not come under the purview of commercial quantity, the applicant is in custody since 12/08/2018 and the trial will likely to take some time, without further commenting on merit 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**