

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7785 of 2017

- Dinesh Kumar Maravi S/o Shri Sadharam Maravi, Aged About 20 Years
Caste Gond R/o Village Dhourpur Dhobipara , Police Station Surguja
Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of P. S.
Rajpur Dist. Balrampur Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Sanjeev Verma, Advocate.
For Respondent/State	:	Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

21/02/2018

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. 27/2017, registered at Police Station- Rajpur, District – Balrampur(C.G.) for the offence punishable under Section 20B of Narcotic Substance Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is in jail since 9.3.2017. Applicant is a labour and he was working under the instructions of his employer Kirana shop owner Raju Thakur. No offence has been committed by him and no case is made out against him. He is local resident of District-Surguja, hence, it is prayed that he may be released on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that looking to the quantity of

contraband seized from this applicant and looking to this fact that this crime is against the well being of the society, hence, applicant is not entitled for grant of regular bail.

4. Heard both the parties and perused the case diary.
5. On 9.3.2017, the police personnel of PS-Rajpur stopped the applicant traveling on a motorcycle bearing registration No.CG-CL6016 with two jute bags. On search, in total 374 bottles of cough syrup of name RC cough syrup and Tusscodine-T cough syrup were seized from his possession. All the cough syrups had codeine phosphate and total 74.8 gm codeine phosphate were found in the seized cough syrup which is larger than the small quantity and lesser than the commercial quantity according to the schedule of NDPS Act.
6. Considered.
7. As charge-sheet has been filed against this applicant and the trial has not concluded so far. Applicant is in jail since about 11 months and he is local resident of District Surguja, hence, considering that his appearance before the trial Court can be secured by imposing proper conditions, I am of this view that this is a fit case where applicant benefited with grant of regular bail.
8. Accordingly, the first bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

