

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 45 of 2019

1. Sudesh Yadav S/o Shri Jugeshwar Yadav Aged About 18 Years R/o Village Khukhri Police Chouki Bariyano Police Station Rajpur District Balrampur Ramanujganj Chhattisgarh.
2. Videsh Yadav S/o Ramkewal Yadav Aged About 25 Years R/o Village Khukhri Police Chouki Bariyano Police Station Rajpur District Balrampur Ramanujganj Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Rajpur District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicants	: Shri AK Yadav, Advocate.
For Respondent/State	: Smt. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

07/02/2019

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime no. 187/2018, registered at Police Station Rajpur, District Balrampur Ramanujganj (C.G.) for the offence punishable under Section 21 (B) of the NDPS Act.
2. As per the prosecution story, on 22.10.2018 on the basis of information received from an informant, investigation officer of the case searched the applicants and 124 bottles of Codectuss Cough Syrup each bottle containing 100 ml. have been seized from the possession of applicant No. 1 and 126 bottles of Codectuss Cough Syrup each bottle containing 100 ml. have been seized from the possession of applicant No. 2. On being examined the said bottles, it was found that total 50 grams of prohibited drug codeine phosphate available in the said bottles. The applicants have been arrested on

22.10.2018 itself.

3. Learned counsel appearing on behalf of the applicants submits that applicants are innocent and have been falsely implicated in the present case. He further submits that the applicants have no criminal antecedents, they are in custody since 22-10-2018 and trial will take some time, therefore, they 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 applicants have no criminal antecedents, they are in custody since 22-10-2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)**

Judge