

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 158 of 2019**

- Raja @ Rajendra Sahu S/o Shri Umashankar Sahu Aged About 28 Years R/o R.T.I. Colony Jhopad Patti, Vishrampur, Police Station Vishrampur, District Surajpur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Vishrampur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Shri P.K. Patel, Advocate.
For Respondent/State : Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**28/02/2019**

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. 209/2018, registered at Police Station - Vishrampur, District – Surajpur, Chhattisgarh, for the offence punishable under Sections 21(C) of NDPS Act.
2. As per the prosecution story, on 11.11.2018, on the basis of information received from an informant, police personnel searched the Applicant and total 178 numbers of Rexogesic Injection and 190 numbers of Evil Injection have been seized from the possession of the present Applicant. On being examined, 106.8 mg in Rexogesic injection and 43.225 mg in Evil injection, contraband drug have been found. On the basis of said, offence has been registered. The Applicant has been taken into custody on 11.11.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He

further submits that charge-sheet has been filed. The Applicant is in custody since 11.11.2018 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 and submits that the Applicant has some previous criminal cases.
5. However, Counsel for the Applicant submits that the Applicant has already been acquitted from all other previous criminal cases.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that charge-sheet has been filed, Applicant is in custody since 11.11.2018 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