

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 517 of 2019**

Ravi Kashyap, S/o Shri Rajendra Kashyap, aged about 29 years, R/o Bramhanpara Near Ram Mandir Ambikapur, Thana Ambikapur, Civil & Revenue District Surguja(CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Ambikapur, District Surguja (CG). **---- Non-applicant**

For Applicant	: Mr. Sunil Sahu, Advocate.
For Non-applicant	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.02.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with crime No.463/2018 registered at Police Station Ambikapur, District Surguja for the offence punishable under Section 21-B of N.D.P.S. Act.
3. Case of the prosecution, in brief is that on 15.09.2018 at about 20:00 hrs. at near Satipara Deewan Pond Ambikapur, Sub-Inspector Amit Gupta posted at police station Ambikapur seized 5.56 gram brown sugar (Heroin) from the possession of the applicant, which is higher than small quantity, but lesser than commercial quantity.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that three other criminal cases, out of which, two cases under NDPS Act and one case under IPC have already been registered against the applicant in police case diary.
6. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with one personal bond of Rs.50,000/- to the satisfaction of the trial Court concerned, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-