

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2730 of 2019**

- Daulatram Hiduja S/o Vadhmal Hinduja, Aged About 55 Years R/o Vijay Vihar, Yadunandan Nagar, Post Office Bilaspur Police Station Sirgitti, District Bilaspur, Chhattisgarh.

Present Address R/o Manzil Grip City Road, Shivam Vihar Colony, Raipura, Post Office Raipur Police Station D. D. Nagar, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station - D. D. Nagar, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Shri Shivendu Pandya, Advocate.
For Respondent/State : Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**07/05/2019**

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. 64/2019, registered at Police Station – D.D. Nagar, Raipur, District – Raipur, Chhattisgarh, for the offence punishable under Sections 21(B) of NDPS Act.
2. As per the prosecution story, on 25.02.2019, on the basis of information received from an informant, police personnel searched the Applicant and seized total 103 bottles of illicit codeine syrup each bottle containing 100ml and total 22 bottles i.e. 10.3 bulk liters of english liquor from the possession of the present Applicant. On being examined, 20.600 gm of prohibited drug codeine has been found. On the basis of the said, offence has been registered. The Applicant has been taken into custody on 25.02.2019.

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 mandatory provisions of the Act has not been complied with. The Applicant has no previous antecedents, he is in custody since 25.02.2019 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 the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicant has no previous antecedents, he is in custody since 25.02.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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 solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge