

HIGH COURT OF CHHATTISGARH, BILASPUR

M. Cr. C. No. 3694 of 2019

Sunil Kantha Sonkar, S/o. Rajendra Sonkar, Aged about 32 years,
R/o Sirgitti Mahima Nagar, Bilaspur, Tahsil and District Bilaspur
(C.G.) **---- Applicant**

Versus

State of Chhattisgarh Through Station House Officer, Police Station
City Kotwali, Bilaspur, District Bilaspur (C.G.) **---- Respondent**

For Applicant : Ms. Durga Sarni, Advocate
For Respondent/State : Mr. Ishan Verma, Panel Lawyer

Hon'ble Smt. Justice Vimla Singh Kapoor
Order On Board

25/07/2019

1. This is the second bail application. The present applicant has preferred this repeat bail application under Section 439 Cr.P.C for grant of bail as he is arrested in connection with Crime No. 370/2018 registered at Police Station – City Kotwali, District Bilaspur (CG) for the offence punishable under Sections 21 and 22 of the NDPS Act. The first bail application was rejected on merit on 31.10.2018 in M.Cr.C. No.8275 of 2018.
2. The allegation against the present applicant is that he was engaged in sale and purchase of restricted drugs namely Nitrogen Tablets 7200 in number which was recovered from his possession.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since

22.08.2018. He further submits that in similar cases the other co-accused person was granted bail by the coordinate Bench of this Court in M.Cr.C. No. 7933 of 2018 on 16.11.2018 and the applicant is suffering from T.B.,therefore, the applicant may be released on bail.

4. Learned State counsel, however, opposes the prayer for grant of bail.
5. Taking into consideration the totality of the circumstances and the fact that co-accused has already been granted bail by the coordinate Bench of this High Court in M.Cr.C. No. 7933 of 2018 on 16.11.2018 and the fact that the applicant is in jail since 22.08.2018, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on 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 his appearance as and when directed.

Sd/-

(Vimla Singh Kapoor)
Judge