

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4795 of 2019**

- Sumit Gupta S/o Baijnath Gupta Aged About 24 Years Caste- Rauniyar, R/o Village Lodam, P.S.- Jashpur, District- Jashpur, Chhattisgarh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Chowki- Lodam, Police Station- Jashpur, District- Jashpur, Chhattisgarh.

**---- Respondent**

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| For Applicant  | : Smt. Indira Tripathi, Advocate |
| For Respondent | : Smt. Reena Singh, PL           |

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**Hon'ble Smt. Justice Rajani Dubey**

**Order On Board**

**19/08/2019**

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 152/2019 registered at police station Lodam, Jashpur (CG) for the offence punishable under Section 21(B) of the Narcotics Durgs and Psychotropic Substances Act.

As per case of the prosecution, on receiving secret information search was made in the general stores of the applicant and it was found that the applicant used to sell intoxicated cough syrup containing drug in his shop. Upon conducting raid, two cartons containing 16 packets each containing 10 bottles of cough syrup were seized from the shop of the applicant.

Counsel for the applicant submits that the applicant has been falsely implication in the case and he is in jail since 12.05.19. He submits that no case is made out against the applicant on the basis of material placed before the court by the prosecution.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegation against the applicant, I am inclined to release him on regular bail. Accordingly, the application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 50,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-  
(Rajani Dubey)  
Judge