

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5203 of 2019

- Indrajeet Kaushik S/o Nandkumar Kaushik Aged About 26 Years R/o Village Dagori, Tahsil And P.S. Bilha, District Bilaspur Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station Civil Line, District Bilaspur Chhattisgarh

---- Respondent

M.Cr.C. No. 5427 of 2019

- Sanjay Bhashkar S/o Shri Bhanu Pratap Bhashkar Aged About 30 Years R/o Mini Basti, Jarhabhatha, Bilaspur, District Bilaspur Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Aarakshi Kendra Civil Line District Bilaspur Chhattisgarh

---- Respondent

For Applicants	: Mr. Pramod Shrivastava and Mr. Krishna Kumar Khatri, Advocates.
For Non-applicant/State	: Mr. Jitendra Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

20-09-2019

Heard.

1. As both these applications arise out of the same crime numbers i.e. Crime No.345/2019 registered at P.S. Civil Line, District- Bilaspur (C.G.), who have been arrested for the offence Under Sections 21 & 22 of N.D.P.S. Act and they are being decided by this common order.
2. It is submitted by learned counsel for applicants that no offence has been committed by these applicants and the applicants are in jail since 27.05.2019, however, they have not committed any offence. They are

the proprietor of the Kaushik Medical Store and they have authorisation for stocking and making a sale of medicines. On that basis, they were in possession of the drugs that were seized by the police. One similarly placed co-accused has been granted regular bail by this Court. Therefore, it is prayed that the applications may be allowed.

3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, the police personnel have made a seizure from the possession of Indrajeet Kaushik of 20 cartons of R.C. Cough Syrup having contents of Codeine phosphate, which is a prohibited drug under N.D.P.S. Act. Similarly, from the possession of Sanjay Bhaskar, 24 bottles of R.C. Cough Syrup has been seized.
6. Considering that the charge-sheet has been filed and the case is pending for trial, therefore, I feel inclined to allow this application.
7. Consequently, these applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.
8. Certified copy as per rules.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge