

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6110 of 2019

1. Dharmendra Pal S/o Vinay Pal Aged About 21 Years R/o Tatiauthar, Schoolpara, Police Station Sanawal, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
2. Gayasuddin S/o Mohd. Khaleel Aged About 25 Years R/o Dindo Bazarpara, Police Chowki - Dindo, Police Station Trikunda, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Sanawal, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Respondent

 For Applicants : Shri A.K. Yadav, Advocate
 For Respondent/State : Shri Vinod Tekam, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

19.11.2019

1. The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.30/2019 registered at Police Station – Sanawal, District Balrampur-Ramanujganj(C.G.) for the offence punishable under Sections 21 (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. It is the case of the prosecution that on the basis of secret information, the police has seized 240 Nos. sealed bottles of Phencyrex Cough Syrup.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in

question and they were only transporting the above said good. He submits that in similarly situated cases, the accused/applicants have been released on bail by this Court in MCRC No.45/2019 vide order dated 7.2.2019 and MCRC No.5203/2019 vide order dated 20.9.2019; the applicants are in custody since 16.6.2019 and the trial is likely to take some time for its final disposal, therefore, they may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants and that the applicants are in jail since 16.6.2019, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.50,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.
7. Certified copy, as per rules.

Sd/

(Rajani Dubey)
JUDGE