

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 7994 of 2018

- Samsuddin Ansari S/o Alamuddin Ansari Aged About 35 Years Caste Musلمان, Occupation Driver, R/o Haldibadi, Chirmiri, Police Station Chirmiri, District Korea Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Baikunthpur, District Korea Chhattisgarh

---- Respondent

For Applicant	: Shri Pushkar Sinha, Advocate.
For Respondent/State	: Shri Alok Nigam, Government Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

21/01/2019

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. 182/2018, registered at Police Station Baikunthpur, District Korea (C.G.) for the offence punishable under Section 21(b) of the NDPS Act, 1985.
2. As per the prosecution story, on 15.09.2018, police officials received an information that the present applicant illegally transporting the cough syrup in the city bus and on the basis of said information, investigation officer of the case searched and seized 34 bottles of Novitas RC Kuff syrup and 51 bottles of Phencyrex-T in total 85 bottles have been seized each containing 100 ml. On being examined the said seized bottles, 17 grams of prohibited drug codeine was found in the seized syrup from the possession of the present applicant and he has been arrested on 15.09.2018.
3. Learned counsel appearing on behalf of the applicant submits that

applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant has no criminal antecedent, he is in custody since 15-09-2018 and trial will take some time, therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant has no criminal antecedent, he is in custody since 15-09-2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant 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 local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)**

Judge