

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6441 of 2019

- Bhawani Shankar Dansena S/o Shri Bhola Ram Dansena, Aged About 54 Years R/o Village - Bonda, Police Station - Saria, Tahsil - Baramkela, District - Raigarh Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through - S. H. O. Of The Police Station - Gharghoda, District Raigarh - Chhattisgarh.

---- Respondent

 For Applicant : Shri Abhishek Saraf, Advocate
 For Respondent/State : Ms. Akshara Amit, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

28.11.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.161/2019, registered at Police Station Baramkela, District Raigarh(CG) for the offence punishable under Section 21 of the Narcotic Drugs and Psychotropic Substances Act.
3. As per the case of prosecution, 47 bottles of Eskuf Cough Syrup i.e. total 4 liter and 700 ml were recovered from the possession of the applicant.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and mandatory provisions of the N.D.P.S. Act have not been complied with. He further submits that the applicant is in jail since 8.9.2019 and trial may take some

time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the applicant is in jail since 8.9.2019, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE