

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6902 of 2019**

- Ajay Gupta @ Baban Gupta, S/o Late Raghuwar Prasad Gupta, Aged About 28 Years, R/o Village Mayapur, Ward No. 31, Ambikapur, District - Surguja (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh, Through The Police Station Ambikapur, District Surguja (C.G.).

---- Respondent

For Applicant	: Mr. Abhishek Pandey, Adv.
For Respondent/State	: Mr. V. K. Agrawal, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12.12.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 517/2019 registered at Police Station Ambikapur, District Surguja (C.G.) for the offence punishable under Section 21 (C) of the N.D.P.S. Act.
2. The prosecution story, in brief is that, on 30.08.2019, on the basis of information, police personnel searched and seized 120 bottles of ONREX cough syrup and each bottle of ONREX contains 100 ml from the possession of the present applicant and other co-accused. Thereafter, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The applicant is in jail since 30.08.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case

diary.

6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 30.08.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**