

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 8973 of 2018

- Gopal Agrawal S/o Ghasi Ram Agrawal Aged About 40 Years R/o Main Road Saraipali, P. S. and Tahsil Saraipali, District Mahasamund Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Saraipali, District Mahasamund Chhattisgarh

---- Respondent

For Applicant	: Shri Pawan Kesharwani, Advocate and Shri Kishore Bhaduri Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/01/2019

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. 373/2018, registered at Police Station Saraipali, District Mahasamund (C.G.) for the offence punishable under Section 21 of the NDPS Act.
2. As per the prosecution story, on 05.10.2018 on the basis of information received from the informant, investigation officer of the case searched a hotel belonging to the applicant and 144 bottles of RC cough syrup each containing 100 ml., 56 bottles of Codistar cough syrup each containing 100 ml. and total 1176 Penzin tablets recovered from the possession of the present applicant and he has been arrested on 06.10.2018.
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 quantity of prohibited drug is below

small quantity, the applicant is in custody since 06-10-2018, charge-sheet has already been filed and trial will take some time, therefore, he 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 quantity of prohibited drug is below small quantity, the applicant is in custody since 06-10-2018, charge-sheet has already been filed 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