

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9647 of 2018

1. Ravinandan Kashyap, S/o Late Shyamji Kashyap, aged about 53 years,
2. Bhrighnandan Kashyap, S/o Late Shyamji Kashyap, aged about 53 years,
Both R/o Village Chatoina, P.S. Jarhagav, District- Mungeli, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh Through the Station House Officer, Police Station Sarkanda, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicants : Ms. Shivali Dubey, Advocate.
For Respondent/State : Shri Bhaskar Payashi, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

16/01/2019

1. The Applicants have preferred the first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 756/2018, registered at Police Station -Sarkanda, District – Bilaspur, Chhattisgarh, for the offence punishable under Sections 21 & 22 of NDPS Act.
2. As per the prosecution story, on 18.09.2018, on the basis of information received from an informant, police personnel raided and searched the Applicants and total 355 bottles of Cofmaxx cough syrup, each bottle containing 100ml and total 3600 Alprazolam Tablets have been seized from the joint possession of the Applicants. On being examined, 60 gm of prohibited drug codeine and more than 1.8 gm of Alpracan have been found. The Applicants have been taken into custody on 18.09.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicants are innocent and have been falsely implicated in the case. She further submits that the quantity of the prohibited drug codeine found is between small and commercial quantity and quantity of Alpracan is below small quantity. The Applicants are in custody since 18.09.2018 and trial will take some time. Therefore, they may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicants have no criminal antecedents, they are in custody since 18.09.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge