

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9846 of 2018

- Jogendra Jaiswal S/o Shrikishun Aged About 53 Years R/o Kari-Chalgali, Police Station- Chalgali, Tahsil- Balrampur, District- Balrampur- Ramanujganj, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Chalgali, District- Balrampur- Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Shri Surfaraj Khan, Advocate.
For Respondent/State	: Shri KK Dewangan, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

29/01/2019

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. 96/2018, registered at Police Station Chalgali, District Balrampur Ramanujganj (C.G.) for the offence punishable under Section 21 (C) of the NDPS Act.
2. As per the prosecution story, on 06.11.2018 on the basis of information received from an informant, investigation officer of the case searched the applicant and total 60 bottles of Onerex Cough Syrup each bottle containing 100 ml. have been seized from his possession. On being examined the said bottles, it was found that total 12 grams of prohibited drug codeine phosphate available in the said bottles. The applicant has been arrested on 06.11.2018 itself.
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 06-11-2018 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 applicant has no criminal antecedent, he is in custody since 06-11-2018 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