

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1753 of 2020**

Manoj Kumar S/o Shivan Lal Ramani, Aged About 33 Years R/o 225, Housing Board Colony, Vaishali Nagar, Bhilai, Police Station - Vaishali Nagar, Tahsil And District - Durg Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Outpost - Jevra - Sirsa, Police Station - Pulgaon, District - Durg Chhattisgarh.

---- Respondent

For the Applicant : Shri B.P. Singh, Advocate.

For the Respondent/State : Shri Vimlesh Bajpai, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****15.05.2020**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.1 of 2020, registered at Police outpost Jevra-Sirsa, Police Station – Pulgaon, District – Durg, Chhattisgarh for the offence punishable under Sections 8/ 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 2.1.2020 and has been falsely implicated in this case. The applicant is engaged in the business of pharmacy and the pharmacist license was in the name of brother of the applicant. Copy of the same has been filed alongwith the application, therefore, the applicant had the authority to stock the

medicines which has been seized alleging that the medicine is banned under the NDPS Act, which is a baseless allegation. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the huge quantity of syrups and other medicines have been recovered from the possession of this applicant having contents of codeine material which is prohibited under the NDPS Act. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. 60 cartoons of RTX Care Cough Syrup packets and other medicines recovered from the possession of the applicant which had contained all the material which is prohibited under the NDPS Act.

6. Considering the fact that the charge-sheet has been filed and the trial of the case against the applicant is likely to take some time for its final disposal, hence, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to

the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi