

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2595 of 2020**

Sanjay Kumar Sahu S/o Late Shankar Lal Sahu Aged About 32 Years R/o Village Pattagobari, Kargi Road Kota, Police Station Kota, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Kota, District Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri S.S. Baghel, Advocate.
For the Respondent/State	:	Shri Gagan Tiwari, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.05.2020**

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.144 of 2020, registered at Police Station – Kota, District – Bilaspur, Chhattisgarh for the offence punishable under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that the applicant is in jail since 2.4.2020 and has been falsely implicated in this case. The applicant was working for a chemist shop while the cough syrup was seized from the possession of the applicant. 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 quantity of cough syrup which was seized is huge having contents of codeine 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. According to the prosecution case, the cough syrup named as Onerex seized from the possession of this applicant having contents of codeine which has been prohibited.

6. Considering the fact that the applicant has no previous antecedents, he has undergone detention of one month and the trial against the applicant is pending before the concerned Court which is likely to take some time for its conclusion, 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