

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4475 of 2020**

Shivshankar Bhagat S/o Jagannath Bhagat (Jagannath Ram Bhagat), aged about 28 years, Caste- Uraon, R/o Village Semarkachchhar, Police Station Kansabel, District Jashpur (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Kansabel, District Jashpur (C.G.)

---- Respondent

For Applicant	:	Mr. J.K. Saxena, Advocate
For Respondent	:	Mr. Vimlesh Bajpai, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

26/08/2020

1. The matter is heard through video conferencing.
2. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 36/2020 registered at Police Station Kansabel, District Jashpur (C.G.) for the offence punishable under Section 21 (C) of the Narcotic Drugs Psychotropic Substances Act.
3. According to the case of the prosecution, on 24/04/2020 on the basis of secret information received from the informant, the police official searched the house of the applicant and seized total 288 liters of cough syrup containing codeine. The applicant has been arrested on 24/04/2020.
4. Counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present

case. Virtually the cough syrup were kept in the house of the applicant without his knowledge by co-accused Soukhat, who has already been granted anticipatory bail by this Court. He further submits that the applicant is in jail since 24/04/2020, there is no previous criminal antecedent against the applicant, charge-sheet has already been filed and trial will take time, therefore, he prays that the applicant may be released on bail.

5. Counsel appearing on behalf of the State also opposes the bail application.
6. I have heard learned counsel for both the parties.
7. Considering the entire facts and circumstances of the case, particularly that co-accused Soukhat has already been granted benefit of anticipatory bail, the applicant is in custody since 24/04/2020, charge-sheet has been filed and trial will likely to take time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on his executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge