

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1818 of 2019

- Suchcha Singh @ Sanjeev Chhabara, S/o Sadilal Chhabara, Aged About 46 Years R/o Kansa Chowk, Tikarapara, Police Station - City Kotwali, District – Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police - Station City Kotwali, District – Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Shri Rajeev Kumar Dubey, Advocate.
For Respondent/State : Shri Sushil Sahu, P.L.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

25/02/2020

1. The Applicant is apprehending his arrest in connection with Crime No. 370/2018 registered at Police Station City Kotwali, District – Bilaspur, (C.G.) for the offence punishable under Sections 21 & 22 of N.D.P.S. Act.
2. As per the prosecution story, on 22.08.2018 on the basis of information received from informant, police officials searched the house of one Sunil @ Kantha Sonkar and seized prohibited drug nitrahit tablet total 7200 each strip containing 10 tablets amounting Rs. 33,686/-. Allegedly, present applicants has given the said tablets to Sunil @ Kantha for selling purpose. Both Sunil and present applicant are engaged in the business of selling of the prohibited drug tablets. It is alleged that when police raided the house, applicant was also

present at the spot thereafter, run away from the spot on seeing the police. On the basis of the above, offence has been registered.

3. Learned Counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the said prohibited drugs were seized from the possession of co-accused Sunil. There is nothing on record which shows that applicant has provided the alleged drug tablets to the co-accused Sunil. Also, there is no material available which can show the connection of the applicant with the house from where the prohibited drug is seized. Looking to the above, it is prayed that present applicant may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :
 - (i) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,

- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge