

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7305 of 2019**

- Sameer Khan S/o Late Salim Khan, Aged About 26 Years, R/o In Front Of Yadunandan Nagar Government School, Police Station Sirgitti, Tahsil And District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Sirgitti, District Bilaspur, Chhattisgarh.

---- Respondent**MCRC No. 7421 of 2019**

- Mohammad Arif S/o Bashir, Aged About 27 Years, R/o Magarpara Taiba Chowk, Police Station Civil Line, Tahsil And District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station Sirgitti, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Dharmesh Srivastava, Adv. in MCRC No. 7305/2019. Mr. Qamrul Aziz, Adv. in MCRC No. 7421/2019.
For Respondent/State	:	Ms. Akshra Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09/01/2020**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 355/2019 registered at Police Station Sirgitti, District-Bilaspur (C.G.) for the offence punishable under Section 21 (B) of Narcotic Drugs and Psychotropic Substances Act.

3. The prosecution story, in brief is that, on 22.10.2019, secret information received by the police through informer, that two persons carrying Corex syrup in motorcycle bearing registration No. CG.-10-AJ-2497 nearby Bhairo Baba Mandir for the purpose of sell and on the basis of such information the police personnel searched and seized 92 bottles each containing 100 ml. of Corex cough Syrup from the possession of present applicants. Thereafter, offence has been registered against the present applicants.
4. Learned counsels for the applicants submit that the applicants are innocent and have been falsely implicated in the crime in question. They further submit that the applicants are in jail since 23.10.2019, there is no likelihood of their case being decided in near future, therefore, the present appellants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the facts that the present applicants are in jail since 23.10.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the applications are allowed.
8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**