

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7355 of 2019**

- Chappu @ Vijay Naresh S/o Udhoshyam Naresh Aged About 30 Years, R/o Near Gurunanak School, Dayalband, Police Station City Kotwali, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Mr. S. S. Baghel, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/01/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 378/2019 registered at Police Station City Kotwali, District-Bilaspur (C.G.) for the offence punishable under Section 20(ग) of Narcotic Drugs and Psychotropic Substances Act.
2. The prosecution story, in brief is that, on the basis of information received by the informant police personnel searched and seized Nitropropane, 200 pieces of I.P. tablets and Rexogesic Injection 127 pieces from the possession of the applicant. Thereafter, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that seized quantity of said

drugs is less than small quantity and the applicant is in jail since 20.10.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the seized quantity of the drugs from the applicant is less than small quantity. The present applicant is in jail since 20.10.2019 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 applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

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