

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7626 of 2019**

- Ashish Thakur @ Kallu, S/o Late Balkishore Thakur, Aged About 24 Years, R/o Sattipara, Ambikapur P.S. & P.O. Ambikapur, District- Surguja Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through In Charge of Police Station Ambikapur District- Surguja Chhattisgarh.

---- Respondent

For Applicant	: Ms. Priyanka Mehta, Adv.
For Respondent/State	: Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.03.2020**

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. 324/2019 registered at Police Station- Ambikapur, District- Surguja (C.G.) for the offence punishable under Section 21 (C) of the N.D.P.S. Act.
2. The prosecution story, in brief is that, on 06.06.2019, on the basis of information, police personnel searched and seized total 98 number of bottles in which 31 number of bottles of PHENCYREX cough syrup (Batch No. 59128-SMB1), 27 number of bottles of ELTUREX-T cough syrup (Batch No. SD18052), 27 number of bottles of RC KUFF cough syrup (Batch No. RPLS-1127) & 13 number of bottles of ONEREX

cough syrup (Batch No. OECS-1022) each containing 100 ml and total quantity of mixture is 9800 ml was found 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. The applicant is in jail since 06.06.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant 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, and further considering the facts that the applicant is in jail since 06.06.2019 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**