

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 8063 of 2019**

Neeraj @ Chhotu Jhadi, S/o. Late Suraiya Jhadi, aged about 37 years; R/o. Atal  
 Awas Bijapur, P.S. Kotwali Bijapur, District Bijapur (C.G.) (In jail)

**---- Applicant****Versus**

State of Chhattisgarh, Through : The Police Station Kotwali, District Bijapur (C.G.)

**----Non-applicant**


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| For Applicant     | : | Mr. P.K. Tulsyan, Advocate.    |
| For Non-applicant | : | Mr. Anurag Verma, Panel Lawyer |

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**Hon'ble Smt. Justice Rajani Dubey****Order On Board****28/01/2020**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 108/2019 registered at police Station Kotwali, District Bijapur for the offence punishable under Section 20-B of the N.D.P. S. Act.

(2) Case of the prosecution is that the applicant was found in storing 25.06 grams of pyeevon spas plus capsules which contained "Tramadole" without authority of law.

(3) Learned counsel appearing on behalf of the applicant submits that applicant has falsely been implicated in the crime in question as there is no evidence available on record to connect the applicant with the crime in question. He further submits applicant is in detention since 01.11.2019, charge sheet has already been filed; no useful purpose would be served in detaining him further in jail and the trial is likely to take some more time for its final disposal, and therefore, the applicant is entitled to be released on bail.

(4) On the other hand, learned counsel for the State, opposes the bail application.

(5) Taking into consideration the nature and the gravity of the offences and further considering the facts that applicant is in detention since 01.11.2019; charge sheet has already been filed and there is no previous criminal antecedents appearing against the applicant; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) 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.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)  
Judge

