

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8318 of 2019**

- Raju Miri S/o Sadhram, Aged About 40 Years R/o. Yadunandan Nagar Tifra, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Mr. Rajeev Kumar Dubey, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/02/2020**

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. 410/2019 registered at Police Station Sirgitti, District-Bilaspur (C.G.) for the offence punishable under Sections 21 (a), 22(b), 28 and 29 of the NDPS Act.
2. The prosecution story, in brief is that, on the basis of information received by the informant police personnel searched and seized 2260 numbers of Nitrazepam tablet and 63 numbers of Onrex Syrup and Natrazepam tablet from the possession of the co-accused persons Pradeep Gond and Iqbal respectively, and the allegation against the present applicant is that, he came for deal with the co-accused persons for the said drugs. Thereafter, offence has been registered against the present applicant and other co-accused person.
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 the other co-accused has

already been granted bail in MCRC No. 7940/2019 so, the present applicant may also be granted benefit of bail. The applicant is in jail since 21.11.2019, 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 other co-accused has already been granted bail and the applicant is in jail since 21.11.2019 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**