

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 73 of 2020**

- Om Prakash Agriya S/o Tulsi Agriya Aged About 22 Years Caste Lohar, R/o Village- Navapara, Police Station Gharghoda, Tahsil Gharghoda, District Raigarh, Chhattisgarh.

----Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Gharghoda, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Indira Tripathi, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/02/2020**

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. 189/2019 registered at Police Station Gharghoda, District-Raigarh (C.G.) for the offence punishable under Section 21-B 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 100 bottles of restricted Cough Syrup (per bottle containing 100 ml.) from the possession of the present 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 the applicant is in jail since 16.10.2019, 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 applicant is in jail since 16.10.2019 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**