

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8441 of 2019**

Pappu Shriwas @ Guddu, son of Raj Kumar Shriwas, aged about 31 years, R/o.
Marimai Mandir, Civil Line, Bilaspur, District Bilaspur (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station Civil Line,
District Bilaspur (C.G.)

----Non-applicant

For Applicant : Mr. Rajeev Kumar Dubey, Advocate.
For Non-applicant/State : Mr. Anil Tripathi, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****07/02/2020**

(1) The accused/applicant has preferred 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. 701/2019 registered at police Station Civil Line, District Bilaspur for the offence punishable under Sections 21 & 22 of the NDPS Act & Section 34 of the Indian Penal Code.

(2) Allegation against the present applicant is that on being raided, the applicant was found in possession of 750 numbers of Rexogesic injection and 400 numbers of avil tablets, which he was carrying unauthorisedly.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as there is no evidence available on record to connect the applicant with the crime in question. He further submit that applicant is in detention since 22.10.2019 and similarly situated co-accused person namely Avinash Nishad has already been granted bail

by this Court vide order dated 13.01.2020 in M.Cr.C. No. 7375/2019, and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused persons, who have already been granted bail by this Court in M.Cr.C. No. 7375 of 2019.

(5) Taking into consideration the facts & circumstances of the case; particularly the facts that similarly situated co-accused person has already been granted bail by this Court vide order dated 13.01.2020 passed in M.Cr.C. No. 7375 of 2019; applicant is in detention since 22.10.2019; 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 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 till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

D/-

