

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 806 of 2021**

Anirudh Kamde, S/o. Hemraj Kamde, aged about 21 years, R/o. Near Durga Mandir, Mathpuraina, P.S.- Tikrapara, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station- Tikrapara, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pushkar Sinha, Advocate

For Respondent/State : Mr. Sameer Uraon, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****21/06/2021**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.506/2020, registered at Police Station – Tikrapara, Raipur, District – Raipur (C.G.) for the offence punishable under Section 21 (B) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 04.12.2020. No offence has been committed by this applicant. Trial against this applicant is not making any progress. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that commercial quantity of psychotropic substance has been seized from this applicant, therefore, he is not entitled for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, seizure of 28 bottles of Onerex cough syrup each having 100 ml and 24 bottles of Fencikoi cough syrup each having 100 ml was seized from the possession of this applicant. Hence, this case.
6. Considered on the submissions. The applicant is in jail since about more than six months and trial is not making any progress due to pandemic conditions, the applicant is local resident of Raipur, hence, for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge