

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1100 of 2021

- Ashok Kumar Behra S/o Rohit Kumar Behra Aged About 35 Years R/o Village- Amagaon, Tahsil / P.S. - Tamnar, District- Raigarh (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh P.S. Tamnar, District- Raigarh (Chhattisgarh)

---- Respondent

For Applicant	: Shri Ashutosh Mishra, Advocate
For Respondent/State	: Shri Samir Uraon, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

08/04/2021

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.426/2020 registered at police station Tamnar, district Raigarh (CG) for the offence punishable under Section 21 of the NDPS Act.

Case of the prosecution in brief is that on receiving secret information, the police party apprehended and seized two gunny bags of RC cough syrup containing Codin Phosphate in totalling to 160 bottles each of 100 ml from the possession of the applicant.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the applicant is in

jail since 12.12.2020; charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge