

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1154 of 2021

- Aalok Agrawal, S/o Late Subham Chandra Agrawal Aged About 36 Years R/o Darri Road, Korba Tehsil Korba, District Korba Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station Kotwali, District Korba Chhattisgarh.

---- Respondent

For Applicant	:	Shri Ishan Verma, Advocate.
For Respondent-State	:	Smt. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant, Judge
Order on Board

23.06.2021

1. Heard on the application filed under Section 439 of Cr.P.C. This is the first bail application filed for grant of regular bail. The Applicant has been arrested on 10.01.2021 in connection with Crime No. 32/2021 registered at Police Station Kotwarli, District Korba (C.G.) for offence punishable under Sections 22(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. It is submitted by the learned counsel for the Applicant that the Applicant has been falsely implicated in this case. The Applicant is proprietor of a medical store and the medicines were seized from him are proprietary medicines, which are sold on the prescription given by a physician, therefore, no offence has been committed by the Applicant. The Applicant was earlier enlarged on temporary bail by this Court and he has not misused that liberty. The charge-sheet has also been filed and the trial is likely to take sometime, therefore, the Applicant may be enlarged on bail.
3. The learned counsel for the State opposes the application and submits that the quantity of the psychotropic substance that has been seized from the

possession of the Applicant is a commercial quantity, therefore, he is not entitled to grant of bail.

4. I have heard the learned counsel for the parties and perused the record.
5. According to the prosecution case, that 100 bottles of Phensedyl cough Syrup containing Codeine Phosphate were seized from the vehicle which was in possession of this Applicant, hence this case.
6. Considered on the submissions. Taking into consideration the fact of the case and also that the charge-sheet has been filed and this case is pending for the trial, therefore, I am inclined to allow this bail application.
7. Consequently, the application filed by the Applicant under Section 439 of Cr.P.C for grant of regular bail is hereby allowed.
8. It is directed that the 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 Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge