

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 1452 of 2021**

Nishant Kumar Singh S/o Jamadar Singh Aged About 20 Years Caste Gond, R/o Near Janakpur Gas Agency, P.S. Janakpur, District Koriya Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through S.H.O. Police Station Janakpur, District Koriya, Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. Pushkar Sinha, Advocate
For State	:	Mr. Devesh Verma, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****19/05/2021**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 113/2020 registered at Police Station Janakpur, District Koriya, Chhattisgarh for the offence punishable under Section 21(C) of the N.D.P.S. Act.
2. The present applicant is in jail since 16.08.2020 in connection with the aforesaid Crime number.
3. As per the prosecution case on 16.08.2020 the present applicant along with the other accused persons was found in possession of 21 bottles of cough syrup in the two motor cycles that they were riding on.
4. The counsel for the applicant submits that the co-accused persons namely Satyamdhar Sharma and Ankit Sharma, both have been granted bail by this Court in MCRC No. 7465/2020 and MCRC No. 6888/2020 and therefore on the ground of parity the present

applicant also deserves to be released on bail. Moreover, according to the applicant, he has already put in around 9 months of custody.

5. The State counsel on the other hand opposing the bail application submits that the bail application of other co-accused Ajay Singh Baghel has already been withdrawn from this Court, when it was about to be rejected. Similarly, the State counsel submits that since all the accused persons were traveling together and found in possession of the 21 bottles of cough syrup, therefore also the applicant do not deserve to be released on bail.
6. Having heard the contentions put forth on either side and on perusal of record, particularly taking note of the fact that the two accused namely Satyamdhar Sharma and Ankit Sharma who were traveling along with the present applicant and the allegations being identical, have been released on bail. Moreover, the present applicant has already remained in custody for a period of 9 months and also taking note of the pandemic situation prevailing in the State, a strong case for grant of bail has been made out. Accordingly, the present application for grant of bail is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- with two sureties in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Judge