

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2262 of 2021

- Birendra Singh S/o Lakhan Singh @ Ramlakhan (wrongly mentioned as Lakhan Singh), aged about 22 years R/o Village Bhuvneshwarpur (Chikhlapara), Police Station & Tahsil Ramanujnagar, District Surajpur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh through Station House Officer, Police Station Ramanujnagar, District Surajpur (C.G.)

---- Respondent

For Applicant	:	Mr. Ram Vifal Ram Rajwade, Advocate
For Respondent/State	:	Mr. Sameer Uraon, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

28/06/2021

Heard.

1. This is the *first* bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No. 19/2021 registered at Police Station Ramanujnagar, District Surajpur (C.G.) for the offence punishable under Section 21 (C) of the NDPS Act.
2. It is submitted that the applicant has been falsely implicated in this case. He is in jail since 23/01/2021, Charge-sheet has been filed and trial is likely to take some time, therefore, this applicant may be enlarged on bail.
3. Per contra, learned State counsel opposes the bail application and submits that huge quantity of psychotropic substances has been

seized from the possession of the applicant, therefore, it is a matter of commercial quantity. He prays to reject the bail application.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per prosecution case, 2016 numbers of Spasmo Proxyvon Plus capsules have been seized from the possession of the applicant. The contents used in these capsules are prohibited under the NDPS Act.
6. Considered on the submissions. Taking into consideration the age of the applicant that he is local resident of District Surajpur, and that trial is likely to take some time due to current pandemic situation, therefore, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge