

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 636 of 2021**

- Ankur Agrawal, Proprietor of M/s Goyal Medical Agency, S/o Shri Kailash Agrawal, Aged About 31 Years, Caste Vaishya, R/o- Station Para, Dhamtari, Distt. Dhamtari (Chhattisgarh).

---- Applicant**Versus**

- State Of Chhattisgarh Through Smt. Nikita Shrivastava, Drug Inspector, Office Deputy Director, Food And Drugs Administration, Dhamtari, District Dhamtari (Chhattisgarh).

---- Respondent

For Applicant	: Mr. Sanjay Agrawal, Adv.
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15.06.2021**

1. Heard on admission.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime No. 01/2021 registered at Police Station- NA (complaint case filed before Special Court) for commission of the offence punishable under Sections 18(a)(1) R/w 17B, 17B(C), 17B(d), 17B(e), 18A, 18B and 27(c) of the Drugs and Cosmetics Act, 1940.
3. Case of the prosecution is that, a complaint case was filed by one Nikita Shrivastava (Drug Inspector) alleging therein that on 06.03.2020, when she along with her colleague Sandeep Kumar Suryavanshi carried an inspection on M/s Goyal Agency and seized CipECXA-500. Based on this, offence was registered against the present applicant.
4. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this

case. He further submits that seizer was never been made from the possession of the applicant. He next added that applicant is ready to abide by all the directions and conditions, which may be imposed by this Hon'ble Court while granting the anticipatory bail to the applicant, therefore, the present applicant may be granted anticipatory bail.

5. On the other hand, counsel for the State however opposes the application for anticipatory bail.
6. After hearing counsel for the parties and considering the facts and circumstances of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 50,000/- with one local surety for the like sum to the satisfaction of the concerned arresting/ investigating officer or the Court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicant shall make himself available for interrogation before the concerned investigating officer as and when required.
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts or the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

**Sd/-
(Rajani Dubey)
Judge**