

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3708 of 2021

- Mukesh Madhukar S/o Ram Sewa Madhukar, Aged About 23 Years, R/o Shukrawari Bazar, Near Shiv Sai Mandir, Beergaon, Police Station - Urla, District - Raipur Chhattisgarh. (As Per Charge Sheet), District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through, the Station House Officer, Police Station - Khamtarai, District - Raipur Chhattisgarh, District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Shri Shivendu Pandya, Advocate.

For Non-applicant/State – Shri Shakti Singh Thakur, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07-07-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 17-03-2021 in connection with Crime No.178/2021 registered at Police Station – Khamtarai, District – Raipur, Chhattisgarh for the offence under Section 22 (B) of Narcotic Drugs and Psychotropic Substances Act (As Per Charge Sheet).
2. It is submitted by learned counsel for the applicant, that the applicant has been falsely implicated. The applicant has not committed any offence. He is in jail 17-03-2021. Charge sheet has been filed. Therefore, it is prayed that the applicant be granted bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. 288 capsules of SPASMO PROXYVON PLUS and 100 tablets of NITROSUN have been seized from the possession of this applicant. The medicine SPASMO PROXYVON PLUS contained Tramadol which is a psychotropic substance prohibited under the N.D.P.S. Act and tablet

NITROSUN has content Nitrazepam which is also prohibited under the N.D.P.S. Act. The weight of SPASMO PROXYVON PLUS capsules is more than small quantity but less than commercial quantity and the weight of NITROSUN tablets is less than small quantity.

6. Considered on the submissions and the facts of the case. As the applicant is local resident of this State, charge sheet has been filed and the trial is likely to take some time, therefore, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge