

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5020 of 2021**

- Vinay Singh S/o Lallan Singh, Aged About 22 Years R/o Kabir Nagar, Raipur, Tahsil And District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through - Station House Officer, Police Station, Urla, District Raipur Chhattisgarh

---- Respondent

For Applicant
For Respondent/State

Mr. GVK Rao, Advocate
Mr. Vikram Sharma, Dy. GA

Proceedings through Video Conferencing**SB.: Hon'ble Mr. Prashant Kumar Mishra, Ag. CJ****Order On Board****15/7/2021**

1. Heard.
2. This is the third application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.395/2020 registered at Police Station Urla, Raipur, District Raipur (CG) for the offence punishable under Section 21(B) of the Narcotic Drugs and Psychotropic Substances Act.
3. The applicant was found in illicit possession of 16 bottles of

cough syrup (100 ml each) containing codeine psychotropic substance.

4. In a recent judgment in the matter of **Hira Singh and another Vs. Union of India & Another** [CRA No.722/2017, decided on 22nd April 2020] [2020 SCC Online SC 382], the Hon'ble Supreme Court has held that not only the psychotropic substance but the entire neutral substance would have to be counted for determining the quantity of psychotropic substance.
5. In view of the above, considering that commercial quantity of contraband has been recovered from the applicant, I am not inclined to release the applicant on regular bail.
6. Accordingly, the bail application is dismissed.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

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