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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5142 of 2021**

- Amjad Ali Ansari, S/o Sheikh Hamid Ansari, aged about 25 years, R/o Village - Joor, Out Post-Basdai, Police Station-Surajpur, Tahsil-Bhaiyathan, District Surajpur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through: the Station House Officer, Police of Police Station Jhilmili, District Surajpur (C.G.)

---- Non-applicant

MCRC No. 5336 of 2021

- Vijay Kumar Vishwakarma, S/o Pransay Vishwakarma, aged about 30 years, R/o Village- Sirsi, Outpost- Basdei, Police Station- Surajpur, Tahsil- Bhaiyathan, District- Surajpur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through: Station House Officer, Police of Police Station Jhilmili, District Surajpur (C.G.)

---- Non-applicant

For Applicant	:	Shri Anil Gulati, Advocate.
For Non-applicant/State	:	Shri Amit Kumar Verma, Panel Lawyer.

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

24.08.2021

1. Both the applications arises of the same crime number.
2. Heard on the applications filed under Section 439 of Cr.P.C. These are the first bail applications filed for grant of regular bail. The Applicants have been

arrested on 01.07.2021 in connection with Crime No. 66 of 2021 registered at Police Station Jhilmili, District Surajpur (C.G.) for the offence punishable under Section 21(B) of Narcotic Drugs & Psychotropic Substance Act, 1985.

3. It is submitted by the learned counsel for the Applicants that the Applicant have been falsely implicated in this case. The Applicants are in jail since 01.07.2021. Charge-sheet has not been filed and the trial against him is not making any progress. Therefore, it is prayed that the bail may be granted to the Applicants.
4. The learned counsel for the State opposes the application and the submission made in this respect. It is submitted that the quantity of the contraband article is commercial quantity. Therefore, the Applicants are not entitled for grant of bail.
5. I have heard the learned counsel for the parties and perused the record.
6. As per the prosecution case, on the basis of a confidential information received, the Police personnel of Police Station Jhilmili has seized 20 numbers of Onerex Cough Syrup each of 100 ml from the possession of Applicant-Vijay Kumar Vishwakarma. While, the Applicant-Amjad Ali Ansari was in his company. On the basis of which the offence has been registered.
7. Considered on these submissions. It appears that Applicants have no previous criminal antecedents and it appears that the trial against the Applicants have been pending, therefore, I am inclined to allow this bail application.
8. Consequently, the application filed by the Applicants under Section 439 of Cr.P.C for grant of regular bail is hereby allowed.

9. It is directed that the Applicants shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge