

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5187 of 2021**

Ratanlal Madhumtake S/o Mulu Madhumtake Aged About 42 Years R/o
Karbala, Police Station City Kotwali, Tahsil And District Bilaspur,
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station, City Kotwali, District
Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri P.K. Tulsyan, Advocate.
For the Respondent/State : Shri Amit Kumar Verma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****25.08.2021**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.164 of 2021, registered at Police Station – City Kotwali, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 21 & 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Learned counsel for the applicant submits that the applicant is in jail since 27.6.2021 and has been falsely implicated in this case. No offence has been committed by this applicant. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant has criminal antecedent and having a case under the provisions of Chhattisgarh Excise Act. Hence, the applicant is not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, 15 ampoules of Rexogesic injections having content of Buprenorphine and 16 numbers of Avil injections were seized from the possession of this applicant. Hence, this case.

6. Considered on the submissions. The applicant does not have any criminal antecedents and the conclusion of the trial is likely to take some time for its final disposal, therefore, I feel inclined to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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 trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge