

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7489 of 2021**

- Sukhendra Kewat S/o Dilharan Kewat Aged About 35 Years R/o Devrikhurd, P. S. Torwa, District Bilaspur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, P. S. Sirgitti, District Bilaspur Chhattisgarh

---- Respondent

For Applicant : Shri Shantam Awasthi, Advocate

For Respondents/State : Shri Animesh Tiwari, Dy. AG

Hon'ble Shri Justice Goutam Bhaduri**Order****13/12/2021**

1. Heard.
2. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 06.09.2021 in connection with Crime No.482/2021 registered at Police Station Sirgitti, District Bilaspur (CG) for the offence punishable under Sections 21 & 22 of N.D.P.S. Act.
3. As per the prosecution case, 07.09.2021 on an information received a raid was conducted and from the applicant 36 units of 100 ml bottles of prohibited syrup with codeine were seized. Thereby the offence has been committed.

4. Learned counsel for the applicant submits that the applicant is running a medical shop in the city and the content of the narcotic substance is much less if it is separately considered. He relied on the judgment passed by the Delhi High Court in the case of ***Iqbal Singh Versus State (Bail Appl N.645/2020)*** and submits that no further seizure is needed, therefore, the applicant may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the quantity of seizure made which contains 100 ml bottles and also taking into that no further seizure is required to be made and prima facie taking into the dictum laid down by the Delhi High Court supra, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-

Goutam Bhaduri
Judge

Ashu