

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7452 of 2021**

1. Ishtakhar Ansari S/o Asgar Ansari Aged About 27 Years
2. Firoz Ansari S/o Shamim Ansari Aged About 27 Years

Both R/o Maszid Line Charcha, Police Station Charcha, District Korea
Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Charcha, District Korea
Chhattisgarh

---- Respondent

For Applicants : Shri Anuroop Panda, Advocate

For Respondents/State : Shri Ajay Kumrani, PL

Hon'ble Shri Justice Goutam Bhaduri**Order**

14/12/2021

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 applicants who have been arrested on 06.09.2021 in connection with Crime No.126/2021 registered at Police Station Charcha, Distt. Korea (CG) for the offence punishable under Section 21 (C) of the NDPS Act.
3. As per the prosecution case, on a raid being conducted on 06.09.2021 from the possession of the applicant No.1 two bottles of Eskuf syrup and from applicant No.2, 9 bottles of Eskuf Syrup were seized which were containing codeine.

Thereby the offence has been committed.

4. Learned counsel for the applicants submits that the seizure has already been made and it was not made in person from the applicants. He would further submit that no further investigation is necessary therefore, the applicants may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the quantity of the seizure so made and in view of the dictum laid down by the Delhi High Court in the case of ***Iqbal Singh Versus State (Bail Appl N.645/2020)*** I am inclined to release the applicants on bail.
7. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu