

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 7437 of 2021**

Ravikumar Joshi, S/o Mohan Lal Joshi, Aged about 30 years, R/o Bhathagaon, P.S. Balodabazar, Distt. Balodabazar-Bhatapara, Chhattisgarh.

---Applicant

Versus

State Of Chhattisgarh Through SHO Police Station City Kotwali, Balodabazar, Distt. Balodabazar-Bhatapara, Chhattisgarh.

--- Non-applicant/State

MCRC No. 7478 of 2021

Kiran Kurre, Aged about 34 years, S/o Late Putku Kurre, R/o Village Dotopar, P.S. City Kotwali Balodabazar, Distt. Balodabazar-Bhatapara, Chhattisgarh.

---Applicant

Versus

State Of Chhattisgarh Through PS City Kotwali, Balodabazar, Distt. Balodabazar-Bhatapara, Chhattisgarh.

--- Non-applicant/State

For Applicants :- Mr. Yogesh Kumar Chandra and
Mr. Anchal Kumar Matre, Advocates
For State :- Mr. Ashutosh Mishra, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

20/12/2021

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 applicants who have been arrested in connection with Crime No. 546/2021, registered at Police Station – City Kotwali, Balodabazar District Balodabazar-Bhatapara (CG), for the offence punishable under Section 20(B) of the NDPS Act.
2. Case of the prosecution, in brief, is that from the co-accused Ravikumar Joshi 192 capsules of Spasmo Proxyvon Plus (Tramadol) amounting to 1.96 gms has been recovered and from the other co-accused namely Kiran Kurre 432 capsules amounting to 21.6 gms has been recovered and they have thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicants have not committed any offence and they have falsely been implicated in the crime in question. He would also submit that the applicants are in jail since 05/09/2021 and charge-sheet has been filed, as such, the applicants be released on bail.
4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicants and considering that quantity seized is more than small quantity but less than commercial quantity as per the notification dated 16/07/1996 Schedule Sr. No. 238ZH of the NDPS Act, 1985, I consider it a fit case for grant of regular bail to the applicants.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants shall be released on bail on their 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 his appearance as and when directed.

9. Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge