

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8862 of 2020

- Gopal Tiwari S/o Late Ramnarayan Tiwari Aged About 32 Years
Occupation - Farmer, R/o Village - Parvatipur (Bargidih) P.S.
Tahsil Lundra, District Surguja Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Chowki Prabhari, Chowki
Raghunathpur, Police Station Lundra, District Surguja
Chhattisgarh

---- Respondent

For Applicant	: Shri Gyan Prakash Shukla, Advocate
For Respondent/State	: Shri Udhav Sharma, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/04/2021

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.102/2020 registered at police station Lundra, district Surguja (CG) for the offence punishable under Section 21(c) of the NDPS Act.

Case of the prosecution in brief is that during patrolling, the police found the applicant in possession of 38 pieces of RC cough syrup bottles and 0.5 mg. Anzium Tablets of 49 strips.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the applicant is

in jail since 20.09.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge