

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8189 of 2021

- Nanki @ Chaitan Singh Sidar (name is mention a per charge sheet), S/o Late Lalit Sidar, Aged About 34 Years R/o Village Milupara, P.S. And Tahsil Tamnar, District, Raigarh, Chhattisgarh.

--- Applicant.

Versus

- State Of Chhattisgarh Through Police Station Tamnar, District, Raigarh Chhattisgarh.

---- Respondent.

For Applicant : Mr. Pragalbh Sharma on behalf of Mr. Sanjay Agrawal, Advocate.

For Respondent/State : Mr. Ghanshyam Patel, GA.

Hon'ble Smt. Justice Rajni Dubey
Order On Board

01.11.2021

This first application under Section 439 of the Code of Criminal Procedure has been filed by the accused/applicant, who is languishing in jail since 30.07.2021 in connection with Crime No. 426/20220 registered at Police Station Tamnar, District Raigarh for the offence punishable under Section 21 (c) of NDPS Act.

2. The prosecution case in nutshell is that on 12.12.2010 the police, acting upon a secret information, searched the car belonging to the other accused person and seized 160 bottles of RC cough syrup therefrom.

3. Learned counsel for the applicant submits that the applicant has been roped in a false and fabricated case and therefore, he may be set at liberty by granting bail. He

submits that the applicant would abide by all terms and conditions imposed on him while granting bail.

4. Learned State counsel however puts forth his vehement opposition to the prayer for bail.

5. Having heard counsel for the parties, taken into consideration the facts and circumstances of the case and also keeping in mind the fact that the co-accused has already been enlarged on bail vide order dated 08.04.2021 passed in MCRC No.1100/2021, this Court is of the opinion that the accused/applicant is entitled for bail. Accordingly, the application is **allowed** and it is directed that on applicant's furnishing a personal bond in the sum of Rs.50,000/- with one solvent surety to the satisfaction of the concerned Court, he shall be released on bail. The applicant however, shall ensure his appearance before the trial Court as and when so directed, till the disposal of the case. Order accordingly.

Sd/-

(Rajni Dubey)
Judge