

**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 8231 of 2021**

Rajkumar Singh @ Setthi, S/o Brijnandan Singh, Aged about 39 years, R/o Charcha, Maharana Pratap Colony, P.S. Charcha, Distt. Koriya, Chhattisgarh.

**---Applicant**

**Versus**

State Of Chhattisgarh Through SHO Police Station Baikunthpur, Distt. Koriya, Chhattisgarh.

**--- Non-applicant/State**

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For Applicant :- Mr. Pushkar Sinha, Advocate  
For State :- Mr. Ajay Kumrani, P.L.

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

**21/12/2021**

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 applicant who has been arrested in connection with Crime No. 244/2021, registered at Police Station – Baikunthpur District Koriya (CG), for the offence punishable under Section 22(B) of the NDPS Act.
2. Case of the prosecution, in brief, is that 120 capsules of Spasmo Proxyvon amounting to 46.200 gms of Tramadol has been recovered from the possession of the present applicant and he, thereby, committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in the crime in question and the quantity of Tramadol seized is though more than small quantity but less than commercial quantity. He would also submit that the applicant is in jail since 08/10/2021 and charge-sheet has been filed, as such, the applicant 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 applicant and considering that quantity of Tramadol seized is though more than small quantity but less than commercial quantity as per the notification dated 26/04/2018 Sr. No. 238ZH of the NDPS Act, 1985, I consider it a fit case for grant of regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants shall be released on bail on their furnishing a personal

bond in the sum of **Rs.1,00,000/-** 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**

Harneet