

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9310 of 2020**

- Rajendra Singh S/o Kameshwar Singh Aged About 21 Years R/o Village Champajhar, Police Station Patna, Tahsil Baikunthpur, District Koriya Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police of Out Post Basdai, Police Station Surajpur, District Surajpur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Anil Gulati on behalf of Mr. H.A.P.S Bhatiya, Advocate.
For Respondent/State	:	Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.04.2021**

1. The applicant has filed this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 435/2019 registered at Police Station : Out Post Basdai, P.S. Surajpur, District Surajpur (C.G.) for the offence punishable under Section 21 (C) of NDPS Act.
2. According to the prosecution story, after receiving a secret information from the informant, police personnel searched and seized 8 strip (5 tabs in each strip) total 40 pieces of Rexogesic Injection containing 2ML in each injection & 135 pieces of Avil Injection containing 10 ML in each injection from the illegal possession of applicant.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the case. He next contended that the other co-accused persons of this crime have been release on bail, therefore, the applicant is also entitled the benefit of regular bail. The applicant is in custody since 12.11.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions imposed upon him, therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application and submits that the alleged prohibited drugs that have been seized from the illegal possession of applicant is more than commercial quantity, therefore, he may not be granted bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature and gravity of the crime, at this stage, I am not inclined to release the present applicants on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**

V/-