

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 2545 of 2016**

1. Tikaram S/o Dhelura Yadav Aged About 29 Years R/o Village Mohbhattha, Out Post Sargaon, Police Station Pathariya, Revenue District Mungeli, Civil District Bilaspur, Chhattisgarh.
2. Vishnu Sahu S/o Baisakhu Sahu Aged About 50 Years R/o Village Mohbhattha, Out Post Sargaon, Police Station Pathariya, Revenue District Mungeli, Civil District Bilaspur, Chhattisgarh.
3. Sarvan @ Ballu Yadav S/o Daduram Aged About 40 Years R/o Village Hathkera, Police Station Pathariya, Revenue District Mungeli, Civil District Bilaspur, Chhattisgarh.

**---- Applicants**

**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Pathariya, District Mungeli, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Dharmesh Shrivastava, Advocate  
For Respondent : Mr. D.K. Wankede, Govt. Advocate  
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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**02 / 06 / 2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 45/2016, registered at Police Station– Pathariya District –Mungeli (C.G.) for the offence punishable under Section 20 (b) of the Narcotic Drugs and Psychotropic Substance Act.
2. Case of the prosecution, in brief, is that the applicant was found carrying 4.200 Kg of Ganja without authority of law.

3. Counsel for the applicant submits that the false seizure has been made and the applicants are not involved in the commission of offence. He further submits that the investigation is now completed and the charge sheet has also been filed in this case. There is no criminal antecedents of similar offence of the applicants, therefore, the applicants may be enlarged on bail.
4. Per contra State counsel opposes the prayer for grant of bail.
5. Taking into consideration the submission, nature of allegation, quantity of Ganja, the applicants are in jail since 19-2-2016, and that there are no criminal antecedents of the applicants of similar offence, the application is allowed.
6. Accordingly, the application is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs. 25,000/- with two local sureties each of the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

Sd/-  
**(Manindra Mohan Shrivastava)**  
**Vacation Judge**