

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.CR.C. No. 7725 of 2017**

1. Ranu Verma, S/o. Ashok Kumar Verma, Aged About 27 Years, Caste- Lodhi, R/o. Nainpur, Police Station and Post Office Nainpur, District Mandala, Madhya Pradesh.
2. Fazal Khan, S/o. Quadir Khan, Aged About 20 Years, R/o. Ilahi Chowk Mandala, Police Station -City Kotwali, District Mandala Madhya Pradesh.

---- Applicants

**Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police Station -Darbha, District- Bastar, Chhattisgarh.

---- Respondent

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For Applicants : Mr. Uttam Pandey, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy. G.A.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****Order On Board****09/03/2018**

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 applicants, who have been arrested in connection with Crime No.62/2015, registered at Police Station – Darbha, District – Bastar (C.G.) for the offence punishable under Section 20(B) of the N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. Applicants are in jail since 04.10.2015 and the trial against them is still not concluded so

far 8 witnesses have been examined and six more witnesses are yet to be examined, hence, looking to the delay in conclusion of trial, hence it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that in total 24 Kg. of Ganja have been seized from the applicants and others, which is a commercial quantity, hence these applicants are not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. On the date of incident, applicants and two others were travelling in a car, when they were stopped by the police personnel of Police Station Darbha, District – Bastar, the car was searched and packets containing Ganja were found in boot of the car and total 24 Kg. of Ganja was seized. Seizure of 5.9 Kg Ganja has been made differentially from each of the accused persons including these applicants.
6. Considered the submissions made and the contents of the case diary and also considering this fact that almost two years and four months have passed since when the applicants are in jail and the trial has not made sufficient progress during this long pendency of the case against the applicants, hence only for this reason, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge

Balram