

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1720 of 2018

1. Dev Kumar Khunte S/o Shri Sarju Khunte Aged About 28 Years R/o- Village Gobarsingha, Police Station- Baramkela, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
2. Sanjay Khunte S/o Shri Horilal Khunte Aged About 22 Years R/o- Village Gobarsingha, Police Station- Baramkela, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Sariya, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Ashish Gupta, Advocate
For the respondent/State	:	Shri Aditya Sharma, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24.04.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.93/2017, registered at Police Station –Sariya, District – Raigarh (C.G), for the offence under Sections 20 (B) NDPS Act.
2. Learned counsel for the applicants submits that the applicant have been falsely implicated in this case. The applicants are in jail since 28.07.2017 and they are local resident of district - Raigarh and ready to abide by the conditions which may be imposed upon them while granting bail, hence, it is prayed that the applicants may be released on bail.

3. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicants have no previous antecedents of similar offence.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident on 28.07.2017 on a search made by the police personnel of PS –Sariya, District – Raigarh (C.G), this applicant was found in possession of 7.774 kg contraband ganja, which was seized and the case was registered against him. Hence, this case.
6. Considering the submissions made, contents of the case diary and taking into consideration that the applicants are local residents and their availability before the trial Court shall not be compromised, if they are released on bail, for this reason, I am of the view that it is a fit case where the applicants should be released on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge