

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2418 of 2018

1. Sheikh Vahid, S/o. Sheikh Salim, Aged About 27 Years.
 2. Vinay Rao, S/o. R. Mohan Rao, Aged About 26 Years, Caste- Telugu.
- Both are R/o. Village & Post Nainpur, P.S. & Tahsil Nainpur, District-
Mandala, Madhya Pradesh.

---- Applicants

Versus

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

---- Respondent

For Applicant : Mr. Uttam Pandey, Advocate

For Respondent : Mrs. Madhunisha Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.04.2018

1. This is the third 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.62/2015 registered at Police Station- Darbha, District Bastar (C.G.) for the offence punishable under Section 20(b) of NDPS Act. The first bail application was dismissed on merit on 05.10.2016 and second bail application was dismissed as withdrawn on 02.08.2017.
2. As per the prosecution case, on 04.10.2015 on a secrete information received that four persons were traveling in Swift Car and carrying Cannabis, the Car was intercepted and from the Car, 24 Kg Cannabis were recovered; thereby, the offence has been committed.
3. Learned counsel for the applicants submits that the other co-accused namely Ranu Verma & Fazal Khan have been enlarged on bail by the coordinate Bench of this Court on 09.03.2018 in

MCRC No.7725 of 2017 only on the ground of delay as almost more than two years have passed, therefore, on the ground of parity, the present applicants may also be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the other co-accused have been enlarged on bail by the coordinate Bench of this Court.
5. Perused the order dated 09.03.2018 passed by the coordinate Bench of this Court in MCRC No.7725 of 2017. Considering the fact that the other co-accused have already been enlarged on bail on the ground of delay, I am inclined to release the present applicants on bail on the ground of parity.
6. Accordingly, the third bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge