

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2906 of 2018

- Rajendra Bagri S/o Ramshwarup Bagri Aged About 29 Years R/o Village Michael, Police Station Pawar, Kota Rajasthan, District : Kota, Rajasthan

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Mainpur, District Gariyaband Chhattisgarh, District : Gariyabandh, Chhattisgarh

---- Respondent

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MCRC No. 2971 of 2018

- Sohan Lal Pawar S/o Bhawar Lal Pawar Aged About 48 Years R/o- Village- Behind Chechat Masjid Dani Chechat, District- Kota (Rajasthan), District : Kota, Rajasthan

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Mainpur, Gariyaband, Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Respondent

For Applicants : Mr. Pawan Kesharwani, Advocate.

For Respondent : Mr. N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

21/06/2018

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.

2. These are the first bail applications filed on behalf of both the applicants under Section 439 of the Code of Criminal Procedure, for grant of regular bail to them as they have been arrested in connection with Crime No. 6/2018 registered at Police Station- Mainpur, District – Gariyaband(C.G.) for the offences punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. Applicants are in jail since 28.1.2018. The trial against these applicants is getting delayed. No case is made out against these applicants. Hence, it is prayed that they may be released on regular bail.
4. Learned State counsel opposes the bail application and submissions made in this respect.
5. Heard both the parties and perused the case diary.
6. On the date of incident on 28.1.2018, on a search made by the police personnel of Police-Station-Mainpur, District-Gariyaband, 12.2 kg ganja was seized from the possession of applicant-Rajendra Bagri in MCRC No.2906/2018 and 12.3 kg ganja was seized from the possession of applicant-Sohan Lal Pawar in MCRC No.2971/2018. Hence, this case.
7. Considered all the material present in the case diary and also this fact that there is no criminal antecedents against these applicants, I am of this view that this is a fit case where applicants should be enlarged on regular bail.
8. Accordingly, the bail applications filed under Section 439 of Cr.P.C. are allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/-each with one

local surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed. In case any default is committed by the petitioners in appearing before the concerned trial Court this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha