

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2680 of 2018

- Santosh Khilo, S/o Mangla Khilo, Aged About 26 Years, R/o- Village Barniput, P.S. Jaipur, District- Koraput, State Orrisa, District : Koraput, Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S.- Bodhghat, Jagdalpur, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

MCRC No. 2807 of 2018

- Raju Kapoor, S/o Nimay Kapoor, Aged About 27 Years, R/o Village Barniput, P. S. Jaipur, Distt. Koraput ,State Orrisa, District : Koraput, Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Bodhghat, Jagdalpur, Distt. Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

MCRC No. 2945 of 2018

1. Deepali Haldhar W/o Kartik Haldhar, Aged About 58 Years, R/o Sector No. 37 Harijan Basti, P. S. Sector No. 44 Noida, Tahsil Darri, Distt. Goutam Budh Nagar U. P., District : Gautam Buddha Nagar*, Uttar Pradesh
2. Amita Haldhar, W/o Late Vikram Haldhar, Aged About 46 Years, R/o Sector No. 37 Harijan Basti, P. S. Sector No. 44 Noida, Tahsil Darri, Distt. Goutam Budh Nagar U. P., District : Gautam Buddha Nagar*, Uttar Pradesh

3. Nibha Haldhar, W/o Sukumar Haldhar, Aged About 52 Years, R/o Sector No. 37 Harijan Basti, P. S. Sector No. 44 Noida, Tahsil Darri, Distt. Goutam Budh Nagar U. P., District : Gautam Buddha Nagar*, Uttar Pradesh

4. Somnath Mandi, S/o Ravi Mandi, Aged About 19 Years, R/o Village Barniput, P. S. Jaipur, District Koraput, State Orrisa, District : Koraput, Orissa

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Bodhghat, Jagdalpur Distt. Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vikash A. Shrivastava, Advocate.
For Respondent	:	Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

26/06/2018

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

2. Both applications are applicant's first bail applications 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. 219/2017, registered at Police Station-Bodhghat, District – Bastar(C.G.) for the offence punishable under Sections 20(b) of Narcotic Drugs Psychotropic Substances Act.

3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. Applicants are in jail since 12.7.2017. After completion of investigation, charge-sheet has been filed. No case is made out against these applicants, hence, it is prayed that applicants 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 a search made by the police personnel of PS-Bodhghat, District-Bastar, 19 kg ganja the narcotic substance was recovered and seized from the possession of these applicants while they were waiting for bus at the bus stand Jagdalpur. Hence, this case.
7. Perused the certified copy of the deposition of the witnesses which has been attached in MCRC No.2945/2018, according to which these witnesses have not supported the prosecution case. Hence, under these circumstances, I am of this view that this is a fit case where applicants should be enlarged on regular bail.
8. 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 his furnishing a personal bond for a sum of Rs.25,000/-each with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge