

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3833 of 2017

- Karan Singh @ Bobby S/o Dalbeer Singh, Aged About 21 Years R/o Camp-1, Chhawani, Police Station Chhawani, Bhilai, District Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bagbahra, District Mahasamund, Chhattisgarh

---- Respondent

And

MCRC No. 6409 Of 2017

- Ravinder Prasad S/o Chhagul Prasad, Aged About 20 Years Resident Of Camp - 1, Chhawani, Police Station Chhawani, Bhilai, District Durg Chhattisgarh.

---- Applicant

Vs

- State Of Chhattisgarh Through Station House Officer, Police Station Bagbahra, District Mahasamund Chhattisgarh.

---- Respondent

For Applicants : Mr. Vidhan Pradhan, Advocate.
For Respondent : Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

04/01/2018

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. 255/2015, registered at Police Station-Bagbahra, District – Mahasamund (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. The narcotic substance ganja has been recovered and seized from one abandoned car on the spot of incident. Applicants are neither the owner of the said car and nor they have any connection with the said transaction of ganja. There is no substance in the charge-sheet, filed against the applicants to hold them guilty for the possession of the said contraband. Applicants are in jail since 27.12.2015, and they are local residents of District-Durg. Hence, it is prayed that they may be enlarged on regular bail.
4. Learned counsel for the respondent/State opposes the applications and submissions made in this respect. It is submitted that according to the memorandum statement of the applicants, they were involved of the transaction of the said contraband and the quantity of contraband is 27 kg which a commercial quantity, hence, they are not entitled for grant of regular bail.
5. Heard both the parties and perused the case diary.
6. On the date of incident, a secret information was received in PS-Bagbahra. The police party approached on the spot, when a car bearing registration No.CG-04-ZD-9007 occupied by two persons was driven fast which met with an incident. The occupants of the car fled from the spot, 27 kg ganja was recovered from the car thereafter case

was registered and on the basis of that investigation conducted, applicants were arrested and detained.

7. Considering the submissions made, contents of the case diary and taking into consideration the evidence that is proposed the applicants for proving the charge against them, I am of this view that it is a fit case where the 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 surety in the like sum to the satisfaction of the trial Court concerned, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge