

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2936 of 2018**

1. Ramo Hantal, S/o. Keshav Hantal, Aged About 22 Years, R/o.- Raipada, Post -Gondihanjar, P.S. Machkund, District- Koraput, Odisha.
2. Subhash Hantal, S/o. Laikhan @ Laxman Hantal, Aged About 25 Years, R/o.- Raipada Post Gondihanjar, P.S. Machkund, District- Koraput, Odisha.

---- Applicants

Versus

State Of Chhattisgarh, Through- Police Station Nagarnar, Jagdalpur, District- Bastar, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Rajesh Jain, Advocate
For State/respondent	: Ms. Smita Jha, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****21/06/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.65/2016, registered at Police Station – Nagarnar, Jagdalpur, District – Bastar (C.G.), for the offence punishable under Section 20-B (2-C) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. Applicants are in jail since 14.04.2016. Trial against them is still pending before the concerned Court. No case is made out against the applicants. Hence, it is prayed that the applicants may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, on the date of incident a search was made and 9.5 Kg. Ganja was seized from each of the applicants by the police personnel of Police Station Nagarnar District Bastar while they were traveling in a bus. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. It appears that almost two years have been passed and the trial against the applicants is still pending. Therefore, only because of delay in conclusion of trial, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge