

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2450 of 2018

1. Mohd Shafiq S/o Mohd. Bashir, Aged About 30 Years, R/o- Nearby Hatri, Sitamani, Korba, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Kotwali, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Non-applicant

MCRC No. 3536 of 2018

1. Vijay Jangde S/o Jagatram Jangde, Aged About 30 Years, R/o- Chhatapathar, Police Station Basna, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh
2. Hetram Tandan S/o Hemlal Tandan, Aged About 22 Years, R/o- Chhatapathar, Police Station Basna, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Kotwali, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

--- Non-applicant

For Applicant(s) – Shri Anil Gulati, Advocate (in MCRC No.2450/2018),
Shri Sunil Sahu, Advocate (in MCRC No.3536/2018).
For Non-applicant/State – Shri Vijay Bahadur Singh, Panel Lawyer.

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

15-05-2018

1. As these two applications arise out of the same crime number, i.e. Crime No112/2018, registered at Police Station Kotwali, District- Korba, Chhattisgarh for the offence under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act (in short 'the N.D.P.S.Act'), they are being decided by this common order.
2. Heard on the applications filed under Section 439 of the Cr.P.C. These are first bail applications before this Court filed by the applicants for grant of regular bail as they have been arrested on 21-02-2018 in connection with

aforesaid crime number and offence.

3. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in jail since 21-02-2018. Charge sheet has been filed and the case is pending. The applicants are local residents of this State. Hence, it is prayed that they may be granted regular bail.

4. Learned counsel for the State/non-applicant opposes the applications.

5. Heard learned counsel for the parties and perused the case diary.

6. According to the case of prosecution, on the date of incident police personnel of P.S. Kotwali, Distt. Korba searched the applicants in both the applications and made seizure of 2 kg. Ganja from applicant Mohd. Shafiq (applicant in MCRC No.2450/2018) and 3-3 kg. Ganja from applicant Vijay Jangde and applicant Hetram Tandan (applicants in MCRC No.3536/2018) from the spot after following the provisions of the N.D.P.S. Act. Hence, this case.

7. As the case is presently before the trial Court and these applicants being the local residents of this State, their appearance before the Court shall not be compromised if they are released on bail, I feel inclined to grant bail to these applicants.

8. Consequently, both these applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail are hereby allowed. It is directed that the applicants shall be released on bail on each of them 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 Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(**Rajendra Chandra Singh Samant**)
Judge