

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3734 of 2018

1. Padam Singh S/o Subhash Chandra, Caste- Lohar, aged about 35 years R/o Ward No.5, Guhana, District- Sonipath (Hariyana)
2. Pintu @ Chinta S/o Krishna, Caste- Jhat, aged about 21 years, R/o Sargathai, P.S.- Gahana, District- Sonipath (Hariyana).

--- Applicants

Versus

State of Chhattisgarh through the Station House Officer, Police Station- Borai (wrongly mention in the order sheet as P.S-Arjuni), District- Dhamtari (C.G.).

---- Respondent

AND

MCRC No. 4324 of 2018

1. Monu S/o Ramphal, Caste- Jogi, aged about 24 years R/o Pasinakala, P.S.- Pasinakala, District- Panipath (Hariyana).
2. Jaikishan S/o Kishal Lal, Caste- Lohar, aged about 24 years, R/o of Bahadurgarh, P.S. Linepaar, District- Jhanjar (Hariyana).

---- Applicants

Versus

State of Chhattisgarh through the Station House Officer, Police Station- Borai (wrongly mention in the order sheet as P.S-Arjuni), District- Dhamtari (C.G.).

---- Respondent

For Applicants	:	Ms. Sharmila Singhai, Advocate
For Respondent	:	Mr. Arvind Shukla, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

09/07/2018

1. Heard.
2. Since both the cases arise out of same Crime number, therefore, they

are being disposed of by this common order.

3. The applicants have preferred first bail applications (in both the cases) under Section 439 of the Cr.P.C for grant of regular bails as they are arrested in connection with Crime No. 13/2017 registered at Police Station- Borai, district- Dhamtari (C.G.) for the offence punishable under Section 20 (ख) (ii) (ग) of the NDPS Act.
4. As per prosecution story on 22/09/2017 at the time of checking of vehicle, on the basis of information received from the informant, search of Scoda Activa Car was made, wherein, the present applicants were carrying 91 kg of Ganja. It is alleged that 21 Kg of Ganja from applicant- Monu, 20 Kg of Ganja from applicant- Jaikishan, 19 Kg of Ganja from applicant- Padan Singh and 18 Kg of Ganja from applicant- Pintu was seized. Offence was registered and the applicants were arrested on 22/09/2017,
5. Counsel appearing on behalf of the applicants submits that the applicants have been falsely implicated in the present case. They are innocent. She further submits that the applicants are in custody since 22/09/2017, charge-sheet has been filed and the trial will likely to take some time, therefore, the applicants may be released on bail
6. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
7. I have heard learned counsel for both the parties.
8. Considering the above facts and circumstances of the case, particularly considering that charge-sheet has already been filed and

the applicants are in custody since 22/09/2017, without further commenting on merit of the case, I am inclined to release the applicants on bail.

9. Accordingly, the bail applications are allowed.
10. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 20,000/- with one local surety each to the satisfaction of the trial Court. Thereafter, they will appear before the Trial Court on each and every date as is given to them by the said Court in this regard.

Sd/-
Judge
Arvind Singh Chandel

Rahul