

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3699 of 2018**

Bishvesar Sahu S/o Shri Tiharu Ram Sahu Aged About 60 Years
R/o- Singhupali, P.S.- Pithora, Tahsil- Civil And Revenue District
And District- Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- The P.S.- Tendukona, District-
Mahasamund, Chhattisgarh.

---- Respondent

MCRC No. 3982 of 2018

Dinu Kumar S/o Liladhar Vastrakar Aged About 21 Years Caste
Marar, R/o Village Bhatbhera, Thana Sohela, District
Balodabazar, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police
Station (Out Post Bundeli) Tendukona, District Mahasamund,
Chhattisgarh.

---- Respondent

For the Applicants	:	Shri J.A. Lohani and Shri Vikas Pradhan, respective Advocates
For the State	:	Shri Sumit Jhawar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**27/08/2018**

1. The aforesaid M.Cr.Cs. are being disposed of by this common order.
2. The applicants have been arrested in connection with same Crime No. 28/2018 registered in Police Station Tendukona, District Mahasamund (C.G.) for the offences punishable under Section 20(B) of N.D.P.S. Act, 1985 and there is no bail applications are pending before any

other Court.

3. Perused the case diary provided by the learned counsel for the State.
4. Case of the prosecution, in brief is that on 19/03/2018 at about 3 p.m. near Lilesar Wharf Assistant Sub Inspector Vijay Kumar Mishra Outpost Bundeli seized 7 Kg. Cannabis from the motorcycle bearing C.G. 06 G 0970. In that motorcycle applicants were coming from Orissa to Lilesar Wharf.
5. Learned counsel for the applicants submit that applicants are innocent and falsely implicated in the present case, therefore, they shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail applications.
7. Looking to the above mentioned facts and circumstances of the case and looking to the quantity of the cannabis and submission of the State counsel that there is no antecedent of their involvement in other crime, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicants.
8. Consequently, the bail applications filed under Section 439 of the Cr.P.C., are allowed. It is directed that if each of the applicants furnishes two solvent sureties for a sum of Rs. 25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Court with the condition that they shall appear before the trial Court at 11.00 am as and when directed till trial and they would cooperate during the trial, they shall be released on bail.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge