

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5487 of 2018

- Mesar Bagadiya & Ors. S/o Mor Singh Bagadiya Aged About 58 Years R/o- Babulpur, Near Mandi Station Panipat, Post Office And Police Station- Panipat, District- Panipat (Hariyana)
- Smt. Roshni Bagadiya W/o Mesar Bagadiya Aged About 57 Years R/o- Babulpur, Near Mandi Station Panipat, Post Office And Police Station- Panipat, District- Panipat (Hariyana)
- Rekha Bagadiya W/o Leeluram Bagadiya Aged About 20 Years R/o- Babulpur, Near Mandi Station Panipat, Post Office And Police Station- Panipat, District- Panipat (Hariyana)

---- Applicants

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station- Tikrapara, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicants	: Shri Shivendu Pandya, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

24/08/2018

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime no. 436/2017, registered at Police Station Tikrapara District Raipur (C.G.) for the offence punishable under Section 20(B) of the NDPS Act.
2. As per the prosecution story, on the basis of information received from the informant on 25.08.2017, Police authority searched the applicants and 10-10 kgs. of illicit Ganja was seized from the possession of each of the applicants and they have been arrested on 25.08.2017.
3. Shri Shivendu Pandya, learned counsel appearing on behalf of the Applicants submits that applicants are innocent and they have been

falsely implicated in the present case. He further submits that the applicants have no criminal antecedent, they are in custody since 25-08-2017, charge-sheet has already been filed and trial will likely to take some time, therefore, applicants may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicants are in custody since 25-07-2017 and trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 1,00,000/- with two local sureties each of Rs. 50,000/- to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge