

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5677 of 2018

- Veer Singh S/o Matadeen Aged About 21 Years R/o- Block U/255 Shiv Vihar Premnagar-2 Kiradi Suleman Nagar, Sultanpuri, P.S. Nagloi, Delhi, India

---- Applicant

Versus

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

---- Respondent

AND

MCRC No. 8382 of 2018

- Yashpal S/o Mahraj Singh Aged About 21 Years Caste Yadav, R/o Village Chhedanagar, Thana Ganjdundwara District Kasganj U. P.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Nagarnar, District Bastar Chhattisgarh

---- Respondent

For Applicant (in MCRC 5677/2018) : Mr. Rajesh Jain, Advocate
For Applicant (in MCRC 8382/2018) : Mr. Vikash Pradhan, Advocate
For Respondent/State : Mr. Sangharsh Pandey, Dy. GA

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

26/11/2018

1. Since both the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these bail applications under Section

439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 278/2017 registered at Police Station- Nagarnar, District Bastar Jagdalpur (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act.

3. As per prosecution story, on 22.12.2017, on the basis of information received from an informant, investigating officer of the case searched the vehicle bearing Registration no. DL 09 CQ 3367 and seized total 30 Kgs. of contraband Ganja from the joint possession of the present applicants and they have been arrested on 22.12.2017.
4. Counsel for the applicants submit that both the applicants are innocent and have been falsely implicated in the present case. They further submit that the applicants have no criminal antecedents, they are in custody since 22/12/2017, charge-sheet has already filed and trial will take some time to conclude, therefore, the applicants may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications and submits that the seized contraband Ganja is in commercial quantity, therefore, looking to the quantity of seized Ganja, the applicants may not be released on bail.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, the evidence collected by the prosecution, further considering the fact that the applicants have no criminal antecedents, they are in custody since 22/12/2017, charge-sheet has already filed and trial will likely to take some time to conclude, without further commenting on merits of the

case, I am inclined to release the applicants on bail.

8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 4,00,000/- with two local solvent sureties each of Rs. 2,00,000/- to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge