

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6037 of 2018

1. Sanjay Devnath S/o Late Dilip Devnath Aged About 32 Years R/o- M.V.- 41, P.S. Kalimela, Tahsil and District- Malkangiri, Odisha
2. Shyamal Mistri S/o Dulal Mistri Aged About 24 Years R/o- M.V.-41, P.S. Kalimela, Tahsil and District- Malkangiri, Odisha.

---- Applicants

Versus

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

---- Respondent

For Applicants	: Shri Rajesh Jain, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

26/11/2018

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. 22/2018, registered at Police Nagarnar, District-Bastar Jagdalpur (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act, 1985.
2. As per prosecution story, on 06.02.2018, investigating officer of the case received a secret information that illegal Ganja is being transported in the bus of Gupta Travels bearing Registration No. CG 17 D 9919 coming from Odisha to Jagdalpur and two persons are sited in the back seat of the bus having said illegal Ganja. On the basis of said information, police party has raided and total 20 kgs. Of Ganja 10-10 Kgs. from each has been seized and they have been arrested on 07.02.2018.
3. Learned counsel appearing on behalf of the Applicants submits that

applicants are innocent and have been falsely implicated in the present case, mandatory provisions of the NDPS Act have not been complied with. He further submits that the Applicants are in custody since 07.02.2018 and trial will take some time, therefore, they 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 07.02.2017 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release them 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. 2,00,000/- with two local solvent sureties each of Rs. 1,00,000/- to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge