

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6373 of 2018

- Taracahand Patel And Anr. S/o S/o Rupdhar Patel Aged About 45 Years R/o Village Darrabhatha, P. S. Dabhra, District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
- Thelharam Sone S/o S/o Rujharam Sone Aged About 58 Years Village Medapali, P. S. Dabhra, District Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Sariya, District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondent

For Applicant	: Shri Sanjeev Kumar Sahu, Advocate
For Respondent/State	: Shri Neeraj Mehta, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/09/2018

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.182/2018 registered at police station Sariya District Raigarh (CG) for the offence punishable under Section 20-B of the NDPS Act.

As per prosecution case, on search being made by the police contraband containing 1 kg. 500 gms. was seized from each of the applicant which they were carrying in a motorcycle.

Counsel for the applicants submits that the contraband seized from them is less than commercial quantity and the applicants are in jail since 19.08.18. He submits that no case is made out against the applicants on the

basis of material placed before the court by the prosecution.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegations against the applicants, I am inclined to enlarge them on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 20,000/- with one surety each in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge