

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6897 of 2018**

1. Kailash Madi S/o Madho Madi Aged About 29 Years R/o Tondapali, P. S. Malkangiri, District Orissa, District : Malkangiri *, Orissa
2. Mukesh Kumar Madkani S/o Munda Madkani Aged About 59 Years R/o Tondapalli, P. S. Malkangiri, District Orissa, District : Malkangiri *, Orissa

---- Applicants**Versus**

State Of Chhattisgarh Through P. S. Darbha, Distt. Bastar Chhattisgarh,
District : Bastar(Jagdalpur), Chhattisgarh.

---- Respondent

For the Applicants : Shri Keshav Dewangan, Advocate.
For the Respondent/State : Ms. Madhunisha Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****23.10.2018**

Heard.

1. This is the second bail application of the applicants. The first bail application filed by the applicants in M.Cr.C. No. 4094 of 2018 has been rejected on merits by the Co-ordinate Bench of this Court on 2.7.2018. The applicants have been arrested in connection with Crime No.77 of 2017, registered at Police Station – Darbha, District Bastar, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicants submits that the applicants are in jail since 28.11.2017 and have been falsely implicated in this case. Similarly placed co-accused – Premchand Patla has been granted bail by this Court in M.Cr.C. No. 5017 of 2018, vide order dated 07.08.2018. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident, 8 kg of ganja (narcotic substance) was recovered and seized from each of the applicant while they were travelling in a bus. Hence, this case.
6. After due consideration of all the aspects in this case and also taking into consideration the fact that similarly placed co-accused – Premchand Patla has been granted regular bail by this Court, I am of the considered opinion that the applicants deserve to be released on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge