

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7065 of 2018

1. Hadibandhu Sahu S/o Nilamadi Sahu Aged About 37 Years R/o Haripur, Police Station Sadar District Dhakanal, Orrisa., District : Dhenkanal, Orissa
2. Aap Bapina Panda S/o Balbhadra Panda Aged About 32 Years R/o Badabhumi, Police Station Pathagarh, District Katak, Orrisa, Orissa

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sirgitti, Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Amit Singh, Advocate.
For Respondent	:	Mr. N.K. Mehta, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

10/12/2018

1. This is the second bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973. His first application MCRC No.5176/2018 was dismissed as withdrawn vide order dated 23.7.2018.
2. This bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.392/2017 registered at Police Station– Sirgitti, Bilaspur, District– Bilaspur(C.G.) for the offence punishable under Sections 20(B)(ii-B) of the [Narcotic Drugs and Psychotropic Substances Act, 1985](#) (for short 'NDPS Act').

3. It is submitted by the learned counsel for the applicant that applicant has been falsely implicated in this case. No case is made out against them. Similarly placed co-accused persons Akhil Kumar Raut and Suresh Das Manikpuri have been granted bail by this Court. Hence, the applicants be granted regular bail.
4. Learned State counsel opposes the application and submissions made in this respect.
5. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
6. According to the documents submitted although the trial Court has made some progress, but for the reason that similarly placed co-accused persons have been granted regular bail, I am of this view that this is a fit case where the application filed by the applicants deserves to be allowed.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge