

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6841 of 2017

1. Jagdish Sahu And Anr. S/o Bahatar Sahu, Aged About 25 Years R/o Village Angul Thana Jharband District Bargarh Oddisa, Orissa
2. Jitendra Sidar S/o Nandlal Sidar, Aged About 22 Years R/o Village Angul Thana Jharband District Bargarh Oddisa, District : Bargarh *, Orissa

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Patewa, District Mahasamund, Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vikas Pradhan, Advocate.
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

15/01/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who have been arrested in connection with Crime No.117/2017, registered at Police Station Patewa, District-Mahasamund (C.G.) for the offence punishable under Section 20(b) of Narcotics Drugs Psychotropic Substances Act.
2. Learned counsel for the applicant submits that applicants are innocent and have been falsely implicated in this case. Applicants are in jail since 04-08-2017. No case is made out against the applicants on the basis of material. No progress has taken place in the trial against the applicants so far. The seizure witnesses have turned hostile and not supported the prosecution case. Hence, it is prayed that applicants

may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that 5 Kg Ganja was seized from Applicant No. 1 and 3 Kg Ganja was seized from Applicant No. 2 when they were searched by the Police personnels of Police Station Patewa, District-Mahasamund. Thereafter, the case was registered against them. Hence, applicants are not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. Considered the submissions made and contents of the case diary. Trial against the applicants likely to take some time before the Trial Court. Appearance of the applicants can be made on suitable conditions, for these reasons, I am of this considered view, that this is a fit case where applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on each of them furnishing a personal bond for a 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge