

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7812 of 2018**

1. Ramdayal Rathore S/o Pitamber Lal Rathore Aged About 25 Years
2. Siyamber Rathore S/o Devidin Rathore Aged About 41 Years, Both are R/o Taraigaon Post- Pakariya, Police Station- Gourela, Tahsil- Pendra Road, District- Bilaspur, Chhattisgarh.

Applicants**Versus**

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

---- Respondent

For the Applicants : Shri Rajeev Kumar Dubey, Advocate
 For the State : Shri R.K. Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**27/11/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.262/2018 registered at Police Station Gourela, District Bilaspur (C.G.) for the offence punishable under Section 20 (B) of NDPS Act.
3. Case of the prosecution, in brief is that Sub Inspector D.R. Thakur is posted at Police Station, Gourela. On 19/09/2018 during the vehicle checking he found that in a motorcycle bearing registration number C.G.10 EF 1424 two persons were present. Driver was applicant No. 1 Ramdayal Rathore pillion rider was applicant No. 2 Siyamber Rathore who had kept 10 Kg. Cannabis Said Sub Inspector seized 10 Kgs. Cannabis from applicant No. 2 Siyamber Rathore and said motorcycle from applicant No.1 Ramdayal.
4. Learned counsel for the applicants submits that they have innocent and falsely implicated in the present case.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicants.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicants furnish one solvent surety for a sum of Rs. 25,000/- each along with a personal bond of Rs.25,000/- each to the satisfaction of the concerned Court with the condition that they shall appear before the trial Court at 11.00 am as and when directed till trial and they would cooperate during the trial, they shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge