

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7732 of 2017**

Samnath (Somnath) Khora S/o Jayadas Khora Aged About 29 Years
R/o Village Nilakamberu, Tahsil Chitrakonda, Police Station Orakel
Balibela, District Malkangiri Odisha.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Bodhghat Jagdalpur,
District Bastar, Chhattisgarh.

---- Respondent

And**M.Cr.C. No. 7977 of 2017**

Dhenu Ontal S/o S/o Sonu Anantal Aged About 19 Years R/o Village
Antalguda, Tahsil Chitrakonda, District Malkangiri Odisha.

---- Applicant

Vs

State Of Chhattisgarh Through Police Station Bodhghat, Jagdalpur,
District Bastar Chhattisgarh.

---- Respondent

For the Applicants	:	Smt. Kiran Jain, Advocate.
For the Respondent/State	:	Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****20.02.2018**

1. Both these applications are decided by a common order as they arise from the similar matter. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.220 of 2017, registered at Police Station Bodhghat, Jagdalpur, 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 in both the cases are in jail since 12.7.2017 and they have been falsely implicated in these cases. No case is made out against the applicants in both the cases on the basis of the material placed before the Court by the prosecution. The applicants are ready to abide by all the conditions that may be imposed on them. Hence, it is prayed that the applicants in both the cases be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that both the applicants are resident of Odisha State and their presence cannot be secured, if they are released on bail. Hence, it is prayed that none of the applicants deserve to be enlarged on bail.

4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident, on a search made by the police personnel of P.S. Bodhghat, Jagdalpur, District Bastar, 5 kg of ganja was recovered from each of the applicant. After completion of procedure and seizure, the case has been registered against the applicants in both the cases.

6. Considering the submissions and the contents of the case-diary, as the charge-sheet against the applicants has been filed and the trial against both the applicants is likely to take sometime, to secure the presence of the applicants some suitable conditions can be imposed, both these applications are allowed.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in both the cases shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- in respect of each crime with one local 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