

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8073 of 2018**

1. Nanhu Ram Yadav S/o Narayan Yadav Aged About 32 Years
R/o Village Kuharchuwa Tahsil Lailunga -District Raigarh
Chhattisgarh.
2. Permashwar Yadav S/o Bhagvano Aged About 19 Years R/o
Village Deoriya Police Station Himgir ,District Sundargarh
Odissa.

---- Applicants

Versus

- State of Chhattisgarh Through Station House Officer Police
Station Gharghoda , District : Raigarh, Chhattisgarh

– Respondent

For the applicants	: Mrs. Indira Tripathi, Advocate.
For the respondent/State	: Mr. Vivek Sharma, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma**Order on Board****12-11-2018.**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested on 18-9-2018 in connection with Crime No. 248 of 2018 registered at Police Station Gharghoda, District Raigarh (CG), for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substance Act, 1985 (for short, "the Act, 1985").
2. As per case of prosecution, contraband article Ganja to the tune of 5 kgs is seized from the possession of both the applicants and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in this case,

mandatory provisions of the Act 1985 have not been complied with and trial will take sufficient time to conclude, therefore, they should be enlarged on bail.

4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Looking to the fact and record of the case and further looking to the quantity of Ganja as alleged to have been seized, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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 local surety each in the like amount to the satisfaction of the concerned trial Court. They shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules

Sd/-

(Ram Prasanna Sharma)
JUDGE

Raju