

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8262 of 2018

1. Asharam Bagh S/o Kurabagh Aged About 40 Years R/o Motigaon Palsapara, Police Station- Chandahandi, District- Navrangpur, Orissa., Orissa
2. Naresh Harpal S/o Bedlal Harpal Aged About 32 Years R/o Dohel, Police Station- Devbhog, District- Gariyaband, Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station- Devbhog, District- Gariyaband, Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Non-applicant

For Applicant	: Ms. Sunita Sahu, Advocate.
For Non-applicant	: Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

28.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 135/2018 registered at Police Station – Devbhog, District- Gariyaband (C.G.) for the offence punishable under Section 20(B) of the NDPS Act.
3. Case of the prosecution, in brief is that on 7.7.2018 Sub Inspector Sanjay Maravi, Crime Branch Gariyaband seized 10 Kg cannabis from the applicant No. 1 Asharam Bagh and 10 Kg cannabis from applicant No. 2. Naresh Harpal.
4. Learned counsel for the applicants submits that applicants have no criminal background. They are innocent and have been falsely implicated in the present case, therefore, they may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicants.
6. Looking to these 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 each applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE