

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7724 of 2018**

1. Mahaveer @ Lalu Tomar, S/o Ram Singh Tomar, Aged About 27 Years, R/o Ward No.3 Rajapara, Near Barghat Champa, Police Station District Janjgir- Champa (C.G.)
2. Surendra Yadav, S/o Shilan Yadav, Aged About 20 Years R/o Charan Nagar Champa District Janjgir-Champa (C.G.)

---- Applicants**Versus**

State of Chhattisgarh, Through Police Station Bilaigarh District Balodabazar- Bhatapara (C.G.)

---- Respondent**&****MCRC No. 8348 of 2018**

Vikram Singh Rajput, S/o Shiv Dayal Rajput, Aged About 32 Years, R/o Ward No. 1, In Front of Old College, Champa P. S. Champa District- Janjgir Champa (C.G.) (learned court below has mentioned as Vikram Rajput in place of Vikram Singh Rajput).

---- Applicant**Versus**

State of Chhattisgarh, Through Police Station Bilaigarh, District Baloda Bazar-Bhatapara (C.G.)

---- Respondent

For Applicants	:	Mr. Ravindra Sharma, Advocate in MCRC No. 7724 of 2018 & Mr. F.S. Khare, Advocate in MCRC No. 8348 of 2018.
For State	:	Mr. Vivek Sharma, G.A.

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****31/10/2018**

1. These are first bail applications filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested on 08.09.2018 in connection with Crime No. 323/2018 registered at Police Station- Bilaigarh, District-

Balodabazar-Bhatapara (C.G.), for the offence punishable under Section Narcotic Drugs & Psychotropic Substances (NDPS) Act, 1985.

2. As per the prosecution case, on 08.09.2018 the staff of P.S. Bilaigarh while searching the vehicle in a routine manner, suddenly the driver of vehicle Bolero bearing registration No. CG-11 E-1141 drove the vehicle rashly and negligently trying to run-away from the place of incident. Thereafter, the police chased the vehicle and arrested the applicants and seized 7.02 kg. ganja from the vehicle.
3. Learned counsel for the applicants submits that the ganja was not seized from conscious and exclusive possession of the applicants and there is no apprehension of their absconding and tempering with the witnesses, therefore, the applicants may be enlarged on bail.
4. On the contrary, learned State counsel opposes the application for grant of bail.
5. Looking to the fact that the applicants are in jail since 08.09.2018 and trial will take sufficient time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
6. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed and it is directed that the applicants shall be released on bail on their furnishing a personal bond in sum of Rs. 20,000/- each 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

Arun