

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8473 of 2018**

1. Mukesh Turkane S/o Manoj Turkane Aged About 25 Years R/o- Darchura, Police Station Simga, District- Baloda Bazar, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Chhannu Yadav S/o Guhra Yadav Aged About 38 Years R/o- Darchura, Police Station Simga, District- Baloda Bazar, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicants**Versus**

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

---- Non-applicant

For Applicants : Shri Vimlesh Bajpai, Advocate.

For Non-applicant : Shri Sumit Jhanwar, 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. 434/2018 registered at Police Station – Bemetara, District- Bemetara (C.G.) for the offence punishable under Section 20(B) of the NDPS Act.
3. Case of the prosecution, in brief is that on 21.08.2018 sub inspector A.S. Sahu, police station Bemetara seized 2 Kg cannabis from applicant No. 1 Mukesh Turkane and seized 1 kg 700 gm cannabis from the applicant No.2. Chhannu Yadav.
4. Learned counsel for the applicants submits that they are innocent and have been falsely implicated in the present case, therefore, they shall 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 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 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