

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6584 of 2018

- Manoj Singh S/o Late Haribhagwan Singh, aged about 24 years, R/o Vinayakpur, Amaniganj, P.S. Khandasa, Distt Faizabad, Uttar Pradesh.

---- Applicant

Versus

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

---- Respondent

AND

MCRC No. 8423 of 2018

1. Devtadeen S/o Dilip Kumar, aged about 28 years, R/o Vinayakpur, Amaniganj, P.S. Khandasa, Distt. Faizabad, Uttar Pradesh.
2. Ramkumar , S/o Babulal, aged about 22 years, R/o Vinayakpur, Amaniganj, P.S.-Khandasa, Diss. Faizabad, Uttar Pradesh.

---- Applicant

Versus

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

---- Respondent

For Applicant (in MCRC 6584/2018) : Mr. Awadh Tripathi and Mr. Sanjay Pathak, Advocates.

For Applicants (in MCRC 8423/2018) : Mr. Awadh Tripathi and Mr. Sanjay Pathak, Advocates.

For Respondent/State : Mr. RK Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

31/10/2018

1. Since both the cases arise out of same crime number, therefore, they are being disposed of by this common order.

2. The applicants have preferred these bail applications under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 382/2018 registered at Police Station- Mahasamund, Distt. Mahasamund (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act.
3. As per prosecution story, on 13.08.2018 during checking of vehicles at Fingeshwar Turning one Bolero Vehicle bearing Registration No. UP 32 BL 2084 reached there and all the applicants were sitting on the said vehicle, after searching the said vehicle total 8 kgs. of cannabis has been found and seized from the joint possession of the present applicants and they have been arrested on the same day.
4. Learned Counsel for the applicants submit that all the applicants are innocent and have been falsely implicated in the present case. They further submit that the applicants have no criminal antecedents, the seized cannabis is not in commercial quantity, applicants are in custody since 13.08.2018, charge-sheet has already filed and trial will take some time. Therefore, they may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, evidence collected by the prosecution and further considering the fact that the seized cannabis is not in commercial quantity, applicants have no previous criminal record, they are in custody since 13.08.2018 and trial will likely to take some time to conclude, without further commenting

on merits of the case, I am inclined to release the applicants on bail.

8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 50,000/- with two local solvent sureties each of Rs. 25,000/- to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge