

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8835 of 2018

- Akhilesh Yadav @ Sonu S/o Vigbhuti Yadav Aged About 25 Years R/o Village Chapramau Post - Sambhuganj ,thana Bakesa ,tahsil Sadar ,district Jaunpur Uttarpradesh ., District : Jaunpur, Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer ,police Station Borai District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Non-applicant

AndMCRC No. 9003 of 2018

- Rakesh Yadav S/o Rajendra Prasad Yadav Aged About 27 Years R/o Sonpura, Police Station- Sikrara, District- Jonpur, Uttar Pradesh., District : Jaunpur, Uttar Pradesh

---- Applicant

Versus

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

---- Non-applicant

For Applicants	: Mr. Vikash Pradhan, Ms. Indira Tripathi, Advocates.
For Non-applicant	: Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

01.12.2018

1. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
2. These are 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.
3. Perused the case diary provided by the learned counsel for the State in connection with crime No. 16/2018 registered at Police Station – Borai, District- Dhamtari (C.G.) for the offence punishable under Section 20(B)ii(C) of the NDPS Act and section 420 of IPC against applicant Akhilesh Yadav @ Sonu and Section 20(B) of the NDPS Act against Rakesh Yadav.
4. Case of the prosecution, in brief is that on 2.8.2018 Ritesh Mishra, Sub Inspector Dhamtari seized 10 Kg cannabis from applicant Akhilesh Yadav and 10 kg cannabis from applicant Rakesh Yadav.
5. 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 shall be released on bail.

6. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicants.
7. 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 two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

kishore