

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC No. 9047 of 2018**

- Shailendra Pal S/o Shankar Lal Pal Aged About 30 Years R/o Podi, Nearby I.T.I. Podi, Police Station Podi, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Khadgawa, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Non-applicant

**And**

**MCRC No. 283 of 2019**

- Mohd. Irfan S/o Mohd. Abbas Musalman Aged About 30 Years R/o Hospital Colony, Haldibadi Chirmiri, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Khadgawa, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Non-applicant

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| For Applicants    | : Shri Anil Gulati, Advocate.      |
| For Non-applicant | : Shri Arvind Shukla, Panel Lawyer |

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**Hon'ble Shri Justice Sharad Kumar Gupta**  
**Order On Board**

**16.01.2019**

1. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
2. These are first bail applications 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. 142/2018 registered at Police Station – Khadgawa, District- Korea (C.G.) for the offence punishable under Section 22(B) of the NDPS Act.
4. Case of the prosecution, in brief is that on 12.10.2018 at Bardar Tiraha, Podidih ASI R.S. Maravi posted at P.S. Khadgawan seized 6 gram brown sugar (heroin) from the applicant Shailendra Pal and 7 gram brown sugar from applicant Mohd. Irfan.
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. The alleged seized brown sugar are more than small quantity and less than commercial quantity.
8. 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.
9. Certified copy as per rules.

Sd/-  
(Sharad Kumar Gupta)  
**JUDGE**