

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1115 of 2019

1. Kanhaiyalal Bhojwani S/o Girdhari Bhojwani Aged About 31 Years R/o Mata Darbar Basna, Thana And Tahsil Basna, Civil And Revenue District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh
2. Devraj Sidar S/o Dhuparam Sidar Aged About 45 Years R/o Village Baroli, Thana Basna, Civil And Revenue District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Basna, Civil And Revenue District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Non-applicant

For Applicants	: Mr. Sumit Shrivastava, Advocate.
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

26.02.2019

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. 19/2019 registered at Police Station – Basna, Civil And Revenue District Mahasamund (C.G.) for the offence punishable under Section 20-B pf the NDPS Act.
3. Case of the prosecution, in brief is that on 09.01.2019 subinspector Hemlal Nag seized 8.200 Kg cannabis from the joint possession of the applicants and coaccused Shankar and Deepak.
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