

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1274 of 2019

1. Arvind Dhali S/o Mr. Ravindranath Dhali Aged About 41 Years R/o Village- Punji, Tahsil- Ghodadogri, Police Station- Chopna, District- Baitul, Madhya Pradesh.
2. Amal Basu S/o Mr. Adhir Basu Aged About 21 Years R/o Village- Punji, Tahsil- Ghodadogri, Police Station- Chopna, District- Baitul, Madhya Pradesh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station- Bodhghat, Bastar, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Raza Ali, Advocate.
For Respondent/State	: Mr. Amit Singh, PL.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

12/03/2019

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime no. 283/2017, registered at Police Station Bodhghat, District Bastar (C.G.) for the offence punishable under Section 20(B) of the NDPS Act.
2. As per prosecution story, on 04.09.2018, on the basis of information received from an informant, investigating officer of the case searched the applicants and 15-15 Kgs. total 30 Kgs. of contraband ganja has been seized from their joint possession and they have been arrested on 05.09.2017.
3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that mandatory provisions of the

NDPS act have not been complied with, the applicants have no criminal antecedents, they are in custody since 05-09-2017 and trial is likely to take some time. Therefore, the applicants may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicants have no criminal antecedents, they are in custody since 05-09-2017 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 2,00,000/- with two local solvent sureties each of Rs. 1,00,000/- to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)**

Judge