

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1567 of 2019**

1. Shankar Bhojwani, son of Girdhari Bhojwani, aged about 31 years, R/o Gudhiyari, Raipur, Police Station Gudhiyari, District Raipur (CG).
2. Dipak Dariyani, son of Madanlal Dariyani, aged about 31 years, both the resident of Bilha, Police Station Hirri, District Bilaspur (CG).

---- Applicants**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Basna, District Mahasamund (CG).

---- Non-applicant

For Applicants	: Mr. Vikash Pradhan, Advocate.
For Non-applicant	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.03.2019

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 counsel for the State in connection with crime No.19/2019 registered at Police Station Basna, District Mahasamund for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.
3. Case of the prosecution, in brief is that on 09.01.2019, Sub Inspector Hemlal Nag seized 8.200 kg cannabis from the joint possession of the applicants and co-accused Kanhaiya Lal Bhojwani and Devraj Sidar.
4. Counsel for the applicants submits that the applicants have not committed any offence. They are innocent and have been falsely implicated in the present case, therefore, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits one case under IPC has already been registered against the applicant No.1-Shankar Bhojwani and no criminal antecedent is reported against the applicant No.2-Dipak Dariyani in police case diary.

6. Looking to the above facts and circumstances of the case, the bail application of the applicants is allowed. It is ordered that if the applicant No.1- Shankar Bhojwani furnishes one solvent sureties for a sum of Rs.25,000/- along with a personal bond in the sum of Rs.25,000/- to the satisfaction of the concerned Trial Court and applicant No.2-Dipak Dariyani furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that they shall appear before the Trial Court at 11:00 am as and when directed till trial and they would co-operate during the trial, they shall be released on bail and they will not involve any crime in future.

7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

JUDGE

L/-