

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2086 of 2019

1. Babulal Kanwar S/o Rathram Kanwar Aged About 47 Years R/o Village Joba, Outpost Nagarda, Tahsil Sakti, District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Devprasad Dhanwar S/o Ghursingh Aged About 19 Years R/o Village Dievri, Police Station Sakti, District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

- The State Of Chhattisgarh Through Station House Officer, Police Of Police Station Urga, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Non-applicant

For Applicants	: Mr. Anil Gulati, Advocate.
For Non-applicant	: Mr. A. Pandey, Panel Lawyer

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

11.04.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant 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. 48/2019 registered at Police Station – Urga District - Korba (C.G.) for the offence punishable under Section 20(B), 29 of the NDPS Act.
3. Case of the prosecution, in brief is that on 7.3.2019 at about 12:30 hrs near Amapali turn at village Bhaisma ASI Krishna Kumar Rathore posted at police station Urga seized 2 Kg cannabis from the possession of the applicant No. 1 Babulal Kanwar and 2 Kg cannabis from the possession of the applicant No. 2 Devprasad Dhanwar.
4. Learned counsel for the applicants submits that they have no criminal background. 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, he submits that there is no antecedent against the applicants.
6. Looking to these 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