

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2326 of 2019**

1. Gudnidhi S/o Chamra Manjhi, Aged About 25 Years R/o Village Khaparidih Puraina, Police Station and Tahsil- Paikmal, District- Bargarh, Odisha.
2. Manoj Alias Mitrabhanu S/o Goverdhan Puta, Aged About 30 Years R/o Village Khaparidih Puraina, Police Station and Tahsil- Paikmal, District- Bargarh, Odisha.

**---- Applicants****Versus**

- State of Chhattisgarh Through Station House Officer, Police Station- Mahasamund, District- Mahasamund, Chhattisgarh.

**---- Respondent**

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For Applicants : Shri Vikas Pradhan, Advocate.  
For Respondent/State : Smt. Smita Ghai, P.L.

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board****03/05/2019**

1. The Applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 102/2019, registered at Police Station – Mahasamund, District – Mahasamund, Chhattisgarh, for the offence punishable under Sections 20(B) of NDPS Act.
2. As per the prosecution story, on 27.02.2019, on the basis of information received from an informant, Investigating Officer of the case searched both the Applicants. On being searched, 7.450 kg and 7.900 kg of contraband 'ganja' have been seized from the possession of Applicant No. 01 and Applicant No. 02 respectively. On the basis of the said, offence has been registered. Applicant have been taken into custody on 27.02.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the case. He further submits that mandatory provisions of the Act has not been complied with. Applicants have no criminal antecedents, they are in custody since 27.02.2019 and trial is likely to take some time. Therefore, Applicants may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicants have no criminal antecedents, they are in custody since 27.02.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them 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. 1,00,000/- with two local solvent sureties each of Rs. 50,000/- to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

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