

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2882 of 2019

1. Vishawmitra Bagh S/o Kripa Sindh Bagh Aged About 26 Years R/o Thekalbeda, Post Office Sanchapali, Police Station Katamaal, Tahsil And District Sonpur (Odisha).
2. Ghasiya Bagrati @ Ravi Bagrati S/o Gunja Bagrati Aged About 40 Years R/o Bhimtikara, Police Station Binka, District Sonpur (Odisha).

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Dongripali, District Raigarh Chhattisgarh.

---- Respondent

For Applicants	: Mr. Ritesh Verma, Advocate.
For Respondent/State	: Mrs. Smita Ghai, PL.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/05/2019

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. 11/2019, registered at Police Station Dongripali, District Raigarh (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act, 1985.
2. As per prosecution story, on 28.03.2019, on the basis of information received from an informant, investigating officer of the case searched vehicle bearing Registration No. OD 17 B 1813, at that time, both the applicants were seated in the vehicle. After being searched, total 8 Kgs. of contraband *Ganja* has been seized from their joint possession and they have been arrested on 28.03.2019 itself.
3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the

case. Mandatory provisions of the NDPS Act have not been complied with. He further submits that the applicants have no criminal antecedents, they are in custody since 28-03-2019 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 28-03-2019 and trial is 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