

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3022 of 2019**

Ganesh Das Bainsav S/o Tildhari Das Aged About 32 Years Caste Baisnav, R/o Badkimahli, Chatkpur, Police Station Balrampur, District- Balrampur, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Polie Kumkuri, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh .

---- Respondent

ALONG WITH**MCRC No. 3144 of 2019**

1. Ram Das Bairagi S/o Santosh Das Bairagi Aged About 21 Years R/o Bagbahar, Pahratoli, Police Station Bagbahar, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
2. Jairam Bairagi S/o Santosh Das Bairagi Aged About 35 Years Caste Bairagi, R/o Bagbahar, pahratoli Police Station Bagbahar, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Kunkuri, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh .

---- Respondent

For the Applicants	:	Shri Sanjeev Sahu, Advocate
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**15/05/2019**

1. As both the above bail applications arise out of same crime number of same police station, they are being disposed of by this common order.
2. These are first bail application under Section 439 of the CrPC preferred by the applicants before this Court and there is no bail application is pending before any other course.
3. The applicants have been arrested in connection with the Crime No.55/2019 registered at Police Station Kunkuri, District Jashpur (C.G.) for the offence punishable under Section 20 (B) of NDPS Act.
4. Case of the prosecution, in brief is that on 29/03/2019 at village Gadakata near the culvert. Inspector Vishal Kujur posted at Police Station

Kunkuri seized 2.300 Kgs. Cannabis from the possession of applicant Ganesh Das Baisnav, 2.310 Kgs. Cannabis from the applicant Ramdas Bairagi and 2.180 Kgs. Cannabis from the possession of applicant Jairam Bairagi.

5. Counsel for the applicants submits that they are innocent and falsely implicated in the present case, therefore, they shall be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that one criminal case under NDPS Act has been registered against the applicant Jairam Bairagi, however no antecedent has been reported against the applicant Ganesh Das Baisnav and Ramdas Bairagi.
7. Looking to the above mentioned 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 the applicant **Ganesh Das Baisnav** and **Ramdas Bairagi** furnishes one solvent surety for a sum of Rs. 25,000/- each along with a personal bond in the like sum to the satisfaction of the concerned 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 cooperate during the trial, they shall be released on bail and applicant **Jairam Bairagi** furnishes two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in such type of crime in future, he be released on bail
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde