

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3017 of 2019

1. Anil Kumar S/o Raghunath Singh, aged about 34 years, Cast Jat, R/o Nagla Augan, Daulatpura, P.S. Baldeo, District Mathura, Uttar Pradesh.
2. Subhash S/o Ranvir Singh, aged about 32 years, Cast Jat, R/o Daulatpura, P.S. Baldeo, District Mathura, Uttar Pradesh.

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Keshkal, District Kondagaon Chhattisgarh.

---- Respondent

For Applicant	: Mr. Rajesh Jain, Advocate
For Respondent/State	: Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

16/05/2019

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. 10/2018, registered at Police Station– Keshkal, District- Kondagaon (C.G.) for the offence punishable under Section 20-B of NDPS Act, 1985.
2. As per prosecution story, on 14.01.2018, on the basis of information received from the informant, police officials searched the vehicle bearing registration No.HR-51 N-3577, at that time the Applicants along with other co-accused person namely Raju Rathour and Vikram Sharma were seated on the said vehicle. After being searched total 108.410 Kgms of contraband Ganja has been seized from their joint possession. The Applicants are taken into custody on 14.01.2018.
3. Learned Counsel appearing on behalf of the Applicants submits that

the Applicants are innocent and have been falsely implicated in the present case. He further submits that the seizure witnesses of the case have already examined before the Trial Court and they have not supported the case of the prosecution and turned hostile. The Applicants are in custody since 14.01.2018 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 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, particularly considering that seizure witnesses of the case have already examined before the Trial Court and they have not supported the case of the prosecution. The Applicants are in custody since 14.01.2018 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. 4,00,000/- with two local solvent sureties each of Rs.2,00,000/- to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge