

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3111 of 2019

1. Manoj Ahirwar, S/o Jagat Ahirwar Aged About 21 Years R/o Village Khaibana Mal, Tarkheda Thana Damoh, District Damoh Madhya Pradesh.
2. Mulchand Ahirwar, S/o Gokul Ahirwar Aged About 19 Years R/o Village Khaibana, Thana Damoh, District Damoh Madhya Pradesh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Singhoda, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant : Mr. Vikash Pradhan, Advocate.
For Respondent/State : Mr. Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

27/06/2019

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. 52/2019, registered at Police Station – Singhoda, District-Mahasamund (C.G.) for the offence punishable under Section 20-B of NDPS Act, 1985.
2. As per the prosecution story, on 30.05.2018, on the basis of information received from informant, investigation officer of the case searched and seized total 6 Kg of contraband Ganja from the joint possession of both the Applicants. On the basis of said, offence has been registered. The Applicants were arrested on 05.04.2019.
3. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated. He submits that the Applicants have no previous antecedents. He further

submits that charge sheet has been filed and the Applicants are in custody since 05.04.2019 and trial is likely to take some time. Therefore, they 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 charge sheet has been filed and the fact that the Applicants are in custody since 05.04.2019 and trial will 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