

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3342 of 2019**

1. Khirod Nayak S/o Damru Nayak Aged About 35 Years R/o Village Godhpur, Thana - Jharbandh District Bargarh (Odisha).
2. Kapil Paleshwar S/o Sadhurar Aged About 60 Years R/o Village, Chhote Loram, Police Station Sankara, District Mahasamund Chhattisgarh.

---- Applicants

Versus

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

--- Respondent

For Applicant	:	Mr. Vikas Pradhan, Advocate.
For Respondent	:	Mr. Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05/11/2019**

- The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 64/2019 registered at Police Station - Pithora, District Mahasamund (C.G.) for the offence punishable under Section 20-B of Narcotic Drugs & Psychotropic Substance Act.
- The prosecution story, in brief, is that on 28.10.2018, on the basis of information received from an informant, Police Personnel searched and seized 10.270 kg. contraband article cannabis (Ganja) from the possession of applicants. Thereafter, the applicants have been arrested.
- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated

in the present case. He further submits that they are in jail since 04.04.2019, there is no previous antecedent against them and trial is likely to take some time, therefore, the present appellants may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the detention period of the applicants, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
- Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge