

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3939 of 2019**

1. Vinod Chandra Digal S/o Bishi Keshan Digal Aged About 21 Years R/o Village Manjhi Pada, P.S. Bhirigiya, District Kandmal Odisha., District : Kandhamal, Orissa
2. Sanjay Digal S/o Purandar Digal Aged About 23 Years R/o Village Tesaru, P.S. Ganchhapuda, District Kandmal Odisha., District : Kandhamal, Orissa

---- Applicants

Versus

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

---- Respondent

For Applicants	:	Shri Vikash Pradhan, Advocate.
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/10/2019**

1. 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.177/2019 registered at Police Station - Saraipali, District Mahasamund (C.G.) for the offence punishable under Sections 20 (B) of the N.D.P.S. Act.
2. It is the case of the prosecution that on the basis of secret information, the police has recovered 8 kg ganja from the conscious possession of the applicants.
3. Learned counsel for the applicant submits that the applicants have been falsely implicated in the crime in question and mandatory provisions of the N.D.P.S. Act have not been

complied with. He further submits that as the applicants are in custody since 22.5.2019 and the trial is likely to take some time for its final disposal, they may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular, the quantity of ganja seized from the possession of the applicants and that the applicants are in jail since 22.5.2019, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.1,00,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.
7. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge