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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4031 of 2019**

1. Arjun Jadhav S/o Ramdas Jabhav Aged About 40 Years
Cast Ond Beldar, R/o Village Antraj Tahsil And P.S.
Khamgaon, District- Buldana, Maharashtra., District :
Buldana, Maharashtra
2. Brijesh Beldar S/o Bhaiyadas Beldar Aged About 28 Years
Cast Ond Beldar, R/o Village Borgaon, Tahsil And P.S.
Pandhana, District- Khandwa, Madhya Pradesh., Madhya
Pradesh

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Bodhghat
District- Bastar, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri R.K. Jain, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**11/07/2019**

1. This is the second bail application under Section 439 of the CrPC. Earlier first bail application was rejected by this Court on 13/05/2019 in MCRC No. 1766/2019 considering the *prima facie* case against him.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.229/2017 registered at Police Station Bodhghat, District Bastar (C.G.) for the offence punishable under Section 20 B of N.D.P.S. Act.
3. Case of the prosecution, in brief is that on 24/07/2017 at Railway Station, Jagdalpur Sub-Inspector Manoj Tirki seized about 70 Kgs. Cannabis from the joint possession of the applicants.

4. Counsel for the applicants submitted that seizure witnesses have been examined in the trial Court, who turned hostile, thus applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicants.
6. Mere turning hostile of the seizure witnesses is not itself a sufficient ground to enlarge the applicants on bail in second round of litigation.
7. There is no change of circumstances which may entitle applicants to release on bail in second round of litigation, consequently, second bail application is rejected. However, the trial Court is directed to expedite the trial and dispose of the case as soon as possible.

Sd/-
(Sharad Kumar Gupta)
Judge