

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4024 of 2019**

1. Budhu Ram Baghel S/o Shri Chhotesola Baghel Aged About 35 Years R/o Village- Dohel, Police Station- Devbhog, Tahsil And District- Gariyaband, Chhattisgarh.
2. Bhimsen S/o Shri Gupteshwar Aged About 21 Years R/o Village- Barpadar, Thana- Raja Khariyar, District- Nuapada, Orissa.

---- Applicants

Versus

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

---- Respondent

For Applicants	:	Shri Vikash Pradhan, Advocate.
For Respondent	:	Shri Anurag Verma, P.L.

Hon'ble Shri 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.85/2019 registered at Police Station - Komakhan, 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 18 kg ganja from the conscious possession of the applicants.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question and the contraband article(ganja) seized from the

possession of the applicants is less than commercial quantity.

He submits that as the applicants are in custody since 18.5.2019 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 18.5.2019, 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 two sureties 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