

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4474 of 2019**

1. Madan Bagh S/o Santosh Bagh, aged about 28 years R/o Village Mahuwabhatha, Thana and Tahsil & District Nuwapada (Odisha)
2. Jitu Dakwa S/o Bhagwanio Dakwa, aged about 27 years R/o Village, Sirtor Nuwapada, Thana and Tahsil & District Nuwapada (Odisha)

--- Applicants**Versus**

State of Chhattisgarh Through Station House Officer, Police Station Bagbahara,
District Mahasamund (C.G.)

---- Respondent

For Applicants	:	Mr. Vikash Pradhan, Advocate
For Respondent	:	Mrs. Smriti Shrivastava, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**06/08/2019**

1. The Applicants have preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 132/2019 registered at Police Station Bagbahara, District Mahasamund (C.G.) for the offence punishable under Section 20 (B) of the NDPS Act.
2. As per prosecution story, on 21/05/2019 on the basis of information received from the informant, the Investigation Officer of the case reached to the spot and searched the Applicant. On being searched, total 5 Kg contraband (Ganja) has been seized from the possession of the Applicants. The Applicants have been taken into custody on 21/05/2019.

3. Learned counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the present case. Mandatory provisions of the NDPS Act has not been complied with. He further submits that the Applicants are in custody since 21/05/2019 and trial will take time, therefore, they may be released on bail.
4. Counsel appearing on behalf of the State also opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Applicants are in custody since 21/05/2019 and trial will likely to take some time, without further commenting on merit 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. 1,00,000/- with one local surety each of the like amount to the satisfaction of the trial Court for their appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge