

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C No. 4674 of 2019

1. Vijay Saha S/o Thandaram Aged About 27 Years R/o Kanthipali, Police Station Sariya, District Raigarh Chhattisgarh.
2. Biranchi Taral S/o Dilip Singh Aged About 30 Years R/o Lohasigha, Police Station Larambhha, District Balangir, Orissa.

---- Applicants

Versus

State of Chhattisgarh Through Station House Officer, Police of Police Station Saraipali, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant.	:	Shri Anil Gulati, Advocate.
For State/Respondent.	:	Shri Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey
Order on Board

22/10/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.445/2018, registered at Police Station- Saraipali, District –Mahasamund, (C.G.) for the offence punishable under Section 21 of the Narcotic Drugs & Psychotropic substance Act.
2. As per prosecution story, on 29.11.2018 on the basis of information received from the informant, police personal of Police Station- Saraipali searched one truck bearing registration No. OD-9-F-5384 at Sirpur Chek-post. On being searched total 1600 bottle of cough syrup have been recovered from the said truck and the present applicants have been arrested.
3. It is submitted by learned counsel for the applicants that the applicants are innocent and they have been falsely implicated in this case. Some of the co-accused persons have been granted bail by the co-ordinate bench of this Court. The applicants are in jail since 30.11.2018 and ready to

abide by all the conditions which may be imposed while granting bail to the applicants, hence, it is prayed that the applicants may be released on bail.

4. On the other hand, the learned counsel for the State opposes the bail application and the submission made in this respect.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the above facts and circumstances of the case, particularly the fact that some of the co-accused persons have already been granted bail by the Court and charge-sheet has already been filed. The applicants are in jail since 30.11.2018 and trial will likely to take some time, without further commenting on merit of the case, I am inclined to release them 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 furnishing a personal bond in the sum of Rs.1,00,000/- with one surety each for the like amount to the satisfaction of the concerned trial Court for their appearance as and when directed.

Sd/-

(Rajani Dubey)
Judge

Jamal