

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5296 of 2019**

1. Rajesh Kashyap son of Anand Ram Kashyap (wrongly mentioned as Nandram), aged about 24 years, resident of village Ward No.25 Shantinagar, Janjgir Champa, Thana City Kotwali, Tahsil and District Janjgir- Champa (C.G.)
2. Omprakash Panday son of Sunhar Panday, aged about 24 years, resident of village Ward No.24 Thana City Kotwali, Tahsil and District Janjgir - Champa (C.G.)

---- Applicants**Versus**

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

---- Respondent

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

Hon'ble Smt Justice Rajani Dubey**Order on Board****22/10/2019**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.241/2019, registered at Police Station - Basna, District Mahasamund (C.G.) for the offence punishable under Section 120(B) of Narcotic Drugs and Psychotropic Substances Act.
2. The prosecution story, in brief, is that on 15.05.2019, the police of police station Basna, acting on a tip-off, seized 11.824 kg contraband article cannabis from the possession of the applicants. Based on this, offence has been registered against the applicants. Present applicants have been taken

into custody on 10.05.2019.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants is in custody since 10.05.2019, charge sheet has been filed and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, in particular the quantity of ganja, and further considering the fact that the applicants are in custody since 10.05.2019 and the trial is likely to take some time, without further commenting on merits 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 their executing a personal bond for a sum of Rs.50,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge