

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4977 of 2019

1. Rajesh Suman S/o Shri Chhedidas Vaishnav, Aged About 34 Years, R/o. Village Chiknipali, Police Station and Tahsil Kartala, District Korba Chhattisgarh.
2. Panchamdas, S/o. Late Laxmidas, Aged About 37 Years, R/o. Village Chiknipali, Police Station and Tahsil Kartala, District Korba Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station Darri, District Korba Chhattisgarh.

---- Respondent

AND

M.CR.C. No. 5279 of 2019

Bhisham Kant Sinha S/o Chandram Sinha Aged About 25 Years R/o Konargarh, Police Station Mulmula, District- Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Of Police Station -Darri, District Korba Chhattisgarh.

---- Respondent

For Applicants : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. Roshan Dubey, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

28/08/2019

1. Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and the incident.

2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.108/2019, registered at Police Station – Darri, District – Korba (C.G.) for the offence punishable under Section 20 (B) of N.D.P.S. Act.
3. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. The applicants are in jail since 14.07.2019. No case is made out against the applicants according to the material present in the case diary. The applicants in M.Cr.C. No.4977 of 2019 are local resident of District – Korba and the applicant in M.Cr.C. No.5279 of 2019 is local resident of District – Janjgir-Champa. Therefore, it is prayed that the applicants may be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. Police personnel of Police Station Darri, made joint seizure of 2.2 KG of Ganja from the dickey of the car in which the applicants were traveling. Hence, this case.
7. Considered on the submissions made and the contents of the case diary. Considering that the applicants are local residents of the State and they do not have any criminal history, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.
9. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram