

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5401 of 2019**

1. Sanjay Satpute S/o Dilip Rao Aged About 23 Years R/o Sindhi Meghe Ramnagar Police Station Ramnagar District Wardha Maharashtra
2. Aniket Namdev Wahe S/o Namdev Rao Wahe Aged About 19 Years R/o Tukara Pas Ramnagar District Wardha Maharashtra
3. Smt. Rekha Hiwrade W/o Prabhakar Hiwrade Aged About 45 Years R/o Aaravi Naka Near Masjid Indira Nagar City Police Station Wardha District Wardha Maharashtra
4. Smt. Mona Chikhalkar W/o Shobhit Chikhalkar Aged About 22 Years R/o Krishna Nagar Shastri Chowk Ramnagar, Police Station Ramnagar District Wardha Maharashtra

---- Applicants**Versus**

- State of Chhattisgarh Through The Police Station Farasgaon District Kondagaon Chhattisgarh

---- Respondent

For Applicants : Shri P.K. Tulsyan, Advocate

For Respondent/State : Shri Kunal Das, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****30/08/2019**

1. Heard.
2. This is the second 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.99/2017 registered at Police Station-Farasgaon, District Kondagaon (C.G.) for the offence punishable under Section 20(b) of Narcotic Drugs & Psychotropic Substance Act, 1985.

3. The first bail application bearing M.Cr.C. No.7910 of 2018 was dismissed on 29.10.2018.
4. As per the prosecution case, when the Car bearing No.M.P.-18-C-6878 was intercepted, from the possession of the present applicants, total 169.120 Kg. Cannabis were recovered.
5. Learned counsel for the applicants submits that on the ground of delay one of the co-accused namely Rahul Honade has been enlarged on bail vide M.Cr.C. No.4582 of 2019 on 02.08.2019. He would further submit that the present applicants are in jail since 08.10.2017 and almost 2 years have passed and still 11 witnesses are to be examined, therefore, the applicants may also be released on bail.
6. Learned State counsel do not dispute the fact that one of the co-accused Rahul Honade has been enlarged on bail in M.Cr.C. No.4582 of 2019 on 02.08.2019.
7. Considering the fact that the trial is not concluded and one of the co-accused namely Rahul Honade has been enlarged on bail in M.Cr.C. No.4582 of 2019 on 02.08.2019, I am inclined to release the applicants on bail.
8. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge