

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7889 of 2018**

1. Shibu @ Shibu Mandal, S/o Ghena Mandal Aged About 32 Years R/o Old Market, Near Shiva Temple Bacheli, Police Station Bacheli, District Dantewada, Chhattisgarh.
2. Sonu Nag S/o Late Boti Nag Aged About 55 Years R/o Bazarpara Bhansi, Police Station Bhansi, District Dantewada, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Sukma District Sukma, Chhattisgarh.

---- Respondent

For Applicant	: Shri Awadh Tripathi, Advocate.
For Respondent/State	: Shri Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**07/02/2019**

1. The Applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 16/2018, registered at Police Station – Sukma, District- Sukma, (C.G.) for the offence punishable under Section 20(B) of NDPS Act.
2. As per the prosecution story, on 09.03.2018, on the basis of information received from an informant, police personnel searched the Applicant and seized total 29.80 Kg of contraband Ganja from the joint possession of the present Applicants. On the basis of the said, offence has been registered against the Applicants. The Applicants have been taken into custody on 09.03.2018.
3. Learned Counsel appearing on behalf of the Applicants submits that the Applicant are innocent and has been falsely implicated in the case. He further submits that mandatory provisions of the Act has not been

complied with. He further submits that charge-sheet has been filed. Applicants have no criminal antecedent, they are in custody since 09.03.2018 i.e. about 11 months and trial will take some time. Therefore, they may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application and submits that the seized contraband Ganja is commercial quantity.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicants are in custody since 09.03.2018 and 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 each of them executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge