

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6661 of 2019

- Govind Kshatriy,. S/o Late Purandar Kshatriya, Aged About 50 Years R/o Kamp-2 Taraline Power House, Bhilai, Thana Chhawani, District Durg Chhattisgarh
- Anil Soni S/o Late Vijay Soni, Aged About 34 Years R/o Shankar Para Ward No. 05, Supela Bhilai, Thana Supela, District Durg Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bagbahara, District Mahasamund Chhattisgarh

---- Respondent

For Applicants	: Shri Vikas Pradhan, PL
For Respondent/State	: Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

03/12/2019

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 153/2019 registered at police station Bagbahara, District Mahasamund (CG) for the offence punishable under Section 20(B) of the Narcotics Drugs and Psychotropic Substances Act.

As per case of the prosecution, on the basis of secret information, police has recovered 10 kgs. Of ganja from the illegal possession of applicants.

Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime. He submits that the ingredients of alleged offence is not attracted against the applicants. He submits that the applicants are in jail since 18.06.2019 and the trial may take some time for its disposal and therefore they may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, the application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 50,000/- each with one surety in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge