

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6854 of 2019**

1. Jagdish @ Kamal S/o Makardwajh Pradhan, aged about 33 years, R/o Dallimunda, P.S. Jonk, District Nuwapada (Orissa) (C.G.)
2. Shekh Abdul Rakib S/o Latif, aged about 34 years, R/o Near New Bus Stand, Ward No.6, Paikmaal, P.S. Paikmaal, District Bargadh, (Orissa)

---- Applicants**Versus**

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

---- Respondent

For Applicants	:	Shri Shubhank Tiwari, Advocate
For Respondent	:	Shri Wasim Miyan, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****10/12/2019**

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.154/2019, registered at Police Station - Baghbahra, District Mahasamund (C.G.) for the offence punishable under Sections 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The prosecution story, in brief, is that the police of police station Baghbahra, acting on a tip-off, seized 55.00 kg contraband article cannabis from the joint possession of the applicants. Based on this, offence has been registered against the applicants. Present applicants have been taken into custody on 19.06.2019.
3. Learned counsel for the applicants submits that the

applicants are innocent and have been falsely implicated in the case. He further submits that mandatory provisions of the NDPS Act has not been complied with in its letter and spirit. He further submits that the applicants are in custody since 19.06.2019, 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 19.06.2019, charge sheet has been filed 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/- -Rs.50,000/- each with one local surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge