

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 56 of 2019**

1. Lokendra Singh S/o Shri Shivraj Singh Rajput Aged About 24 Years
R/o Village Chorayee, P. S. Damoh Dehat, District Damoh M. P.,
District : Damoh, Madhya Pradesh
2. Dharmendra Singh Rajput S/o Shri Adhar Singh Rajput Aged About 25
Years R/o Village Sihora, P. S. Damoh Dehat, District Damoh M. P.,
District : Damoh, Madhya Pradesh
3. Sahab Singh S/o Shri Bhopal Singh Rajput Aged About 29 Years R/o
Village Chorayee, P. S. Damoh Dehat, District Damoh M. P., District :
Damoh, Madhya Pradesh

---- Applicants

Versus

The State Of Chhattisgarh Through The Station House Officer, Police
Station City Kotwali, District Mahasamund Chhattisgarh, District :
Mahasamund, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri N.L. Soni, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**06/02/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.33/2018 registered at Police Station City Kotwali, Mahasamund, District Mahasamund (C.G.) for the offence punishable under Section 20(B) of NDPS Act.
3. Case of the prosecution, in brief is that on 16/01/2018 ASI Sikandar Bhoi posted at Police Station, Mahasamund seized 62.80 Kgs. cannabis from the joint possession of the applicants and co-accused Bhupendra Rai & Pawan Singh Thakur.
4. Learned counsel for the applicants submits that they are innocent and falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He

further submits that no criminal antecedents against the applicants.

6. Counsel for the applicants further submitted that seizure witnesses have been turned hostile, thus they may be released on bail.
7. Turning hostile of seizure witnesses is not a sufficient ground to enlarged on bail to the applicants.
8. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicants on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde