

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 198 of 2020**

1. Narayan Sahu & Anr. S/o Moti Sahu Aged About 28 Years R/o Village Pateva, Rajim, District Gariyaband, Chhattisgarh.
2. Niranjana Ratre S/o Late Halindar Ratre Aged About 29 Years R/o Village Choukbeda, Patewa, Mahasamund, Taluka Mahasamund, District Mahasamund, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station Simga, District Baloda Bazar - Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Pravin Kumar Tulsiyan, on behalf of Mr. Anil Gulati, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24/02/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 265/2019 registered at Police Station Simga, District-Baloda-Bazar-Bhatapara (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.
2. The prosecution story, in brief is that, police received an information by informant thereafter, police personnel searched the pick up vehicle and four wheeler Indigo Car on the way from Raipur to Bilaspur and sized 65 Kgs. of ganja (Cannabis) from the joint possession of the present

applicants and other co-accused persons. Thereafter, offence has been registered against the present applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the other co-accused persons have already been granted bail in MCRC Nos. 6715/2019 and 7516/2019 so, the present applicants may also be granted benefit of bail. The applicants are in jail since 23.07.2019, there is no likelihood of their case being decided in near future, therefore, the present appellants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the facts that the other co-accused persons have already been granted bail and the present applicants are in jail since 23.07.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local 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 to them by the said Court.

Sd/-
(Rajani Dubey)
Judge