

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 551 of 2020

1. Ganpati Jyoti Rama Sartape, S/o Joyti Rama Sartape Aged About 30 Years R/o Village Sangavi , Police Nilanga District Latur Maharashtra
2. Ashif Balli Mohammad Pathan S/o Bali Mohammad Pathan Aged About 40 Years R/o Village Bhenda, Police Station Nevsa , District Ahmad Nagar, Maharashtra.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Errabore, District Sukuma Chhattisgarh.

---- Respondent

For Applicants	: Shri R.K.Jain, Advocate
For Respondent/State	: Shri Vinod Tekam, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/03/2020

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.02/2019 registered at police station Errabore, District Sukma (CG) for the offence punishable under Section 20(B) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, on receiving information, the police party raided and seized 46 Kgs. of ganja from the possession of the applicants which was kept in a four wheeler-Honda City.

Counsel for the applicants submits that the applicants have been falsely implicated in the case and the mandatory provisions of NDPS Act have not been complied with. He further submits that the applicants are in jail since 09.02.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of each of the applicants' furnishing a personal bond in the sum of Rs. 50,000/- with one local surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge