

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 897 of 2020**

1. Rohit Singh S/o Tejbali Singh Aged About 20 Years Caste- Rajbhaur, Resident Of Gothar, Police Station-Sivsagar, District-Rohtas (Bihar)
2. Sunil Kumar Paswan S/o Late Rampratap Paswan Aged About 27 Years Resident Of Takiya, Police Station- Kunkuri, District- Jashpur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Kunkuri, District- Jashpur, Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Sanjeev Kumar Sahu, Advocate.
For Respondent/State	:	Mr. Dinesh Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.05.2020**

1. The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 37/2019 registered at Police Station : Kunkuri, District Jashpur (C.G.) for the offence punishable under Section 20 (B) of NDPS Act.
2. According to the prosecution story, on the basis of information received from an informant, Police Personnel searched and seized total 228.600 Kg. contraband article cannabis (Ganja) from the possession of applicants. Thereafter, the applicants have been arrested.
3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been

falsely implicated in the case. He further submits that the before the trial Court, material seizure witnesses have not supported the prosecution case and turned hostile. The applicants are in custody since 16.03.2019, since, the trial will take some time, they may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the detention period of the applicants, and further considering that the material seizure witnesses have not supported the prosecution case, as 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 executing a personal bond for a sum of Rs. 50,000/- each, with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.
9. It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **in Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), they need not furnish bail bonds afresh and the

bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu