

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 814 of 2020**

- Jitendra Kumar Pandey @ Bablu Pandey S/o Late Bijay Shankar Pandey Aged About 50 Years R/o Jmq Colony, Qr. No. 13 Bishrampur, P.S. Vishrampur, District Surajpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The S.H.O. Police Station Vishrampur, District Surajpur, Chhattisgarh.

---- Respondent**MCRC No. 1154 of 2020**

- Mohammad Muslim Ansari @ Sabir S/o Mohammad Nesar Aged About 23 Years R/o Village Shivnandnpur, Police Station Vishrampur, District Surajpur, Chhattisgarh, (Wrongly Mentioned As Vishrampur In The Certified Copy).

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station Vishrampur, District - Surajpur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Ashok Kumar Shukla, Adv. in MCRC No. 814/2020. Mr. Anil Gulati, Adv. in MCRC No. 1154/2020.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/03/2020**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved these first bail

applications under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 226/2019 registered at Police Station Vishrampur, District-Surajpur (C.G.) for the offence punishable under Section 21(C) of Narcotic Drugs and Psychotropic Substances Act.

3. The prosecution story, in brief is that, police received information by the informant that the present applicants were searching customers for selling of prohibited drugs, thereafter, police personnel searched the scooty bearing registration No. CG-12-AS-1614 and seized 70 ampoule of Avil and 105 ampoule of Raxojestic from the possession of applicant Mohammad Muslim Ansari @ Sabir and 95 ampoule of Avil and 102 ampoule of Raxojestic from the possession of applicant Jitendra Kumar Pandey. Thereafter, offence has been registered against the present applicants.
4. 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 quantity of seized contraband is less than the small quantity. He also submits that the mandatory provisions of the NDPS Act has not been complied with in the present case. He next submits that the applicants are in jail since 22.10.2019, there is no likelihood of their case being decided in near future, therefore, the present appellants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 present applicants are in jail since 22.10.2019 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 applications are allowed.

8. 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**