

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 769 of 2020**

- Amit Kumar S/o Ramnarayan Chaudhary Aged About 28 Years R/o Village Patori, Police Station- Birha, District- Saharsa Bihar, Present Address- Block 20, Sector- 49, Flat No.77, Mahadev Apartment, Noida, District Gautam Buddha Nagar, Uttar Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Chilphy, District Kabirdham, Chhattisgarh.

---- Respondent

MCRC No. 1092 of 2020

- Shyam Kumar Shah S/o Ramesh Kumar Shah, Aged About 24 Years R/o Near Baba Mandir, Triveniganj, Police Station And Tahsil- Triveniganj, District - Supaul (Bihar), Present Address- Block 20, Sector - 49, Flat No.77, Mahadev Apartment, Noida, District- Gautam Baddha Nagar, Moida, Uttarpradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Chilphy, District- Kabirdham. Chhattisgarh.

---- Respondent

For Applicants.	:	Mr. Dharmesh Shrivastava, Advocate.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.03.2020**

1. The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 24/2019 registered at Police Station - Chilphy, District- Kabirdham (C.G.) for the offence punishable under Section 20 (B) of NDPS Act.

2. It is the case of the prosecution that, on the basis of secret information, police personnel searched the vehicle bearing Registration No. U.P. 16 E.T. 6329 and seized total 116.260 KG contraband cannabis (Ganja) from the possession of applicants. Thereafter, offence has been registered against the applicants and the applicants have been arrested.
3. Learned counsel for the applicant submits that the applicants have been falsely implicated in the crime in question. He further submits that as the applicants are in custody since 10.12.2019 and the trial is likely to take some time for its final disposal, they 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.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, 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. 1,00,000/- each, with one local surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

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

Vijay Sahu