

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1139 of 2020

1. Balram Thakur, S/o. Shri Charan Singh Thakur, Aged About 35 Years, R/o. Village Kusli, Police Station Balbeda, District Jabalpur, Madhya Pradesh.
2. Indrajeet Singh Thakur, S/o. Shri Puran Singh Thakur, Aged About 32 Years, R/o. Village Kusli, Police Station Balbeda, District Jabalpur, Madhya Pradesh.

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Kondagaon, District Kondagaon, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Ishan Verma, Advocate
For Respondent	:	Mr. Alok Bakshi, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri

ORDER

12.05.2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.349/2019 registered at Police Station- Kondagaon, District Kondagaon (C.G.) for the offence punishable under Section 20(B) of the NDPS Act, 1985.
2. As per the prosecution case, on the basis of information received, search was conducted by the police and from the possession of the applicants total 8.5 Kg Cannabis were recovered.
3. Learned counsel for the applicants would submit that joint seizure has been made and total 8.5 Kg Cannabis were recovered from both the accused and the investigation officer and the officer who

complained are one and same; therefore, the applicants may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that from the joint possession of both the accused 8.560 Kg Cannabis were seized.
5. Considering the fact that from the joint possession the seizure was made and the applicants are in jail since 30.12.2019, I am inclined to release the applicants on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge