

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 182 of 2020

- Sidharth Gupta S/o Kamal Gupta Aged About 37 Years R/o Village Sidhi, Thana And Tahsil Sidhi, District- Sidhi, Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Singhoda, District- Mahasamund, Chhattisgarh.

---- Respondent

MCRC No. 1291 of 2020

- Ambuj Dwivedi And Anr. S/o Shri Preamnarayan Dwivedi Aged About 23 Years R/o Village Rakela Ward No. 13 Rampur Naikin Police Station Rampur Naikin District Sidhi Civil And Revenue District Sidhi (M.P.)
- Utkarsh Dwivedi S/o Shri Pannalal Dwivedi Aged About 23 Years R/o Village Rakela Ward No. 13 Rampur Naikin Police Station Rampur Naikin District Sidhi Civil And Revenue District Sidhi (M.P.)

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Singhoda, District Mahasamund, Chhattisgarh

---- Respondent

For Applicants	: Shri Vikas Pradhan and Shri Ajay Mishra, Advocates
For Respondent/State	: Shri V.K.Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

02/03/2020

As both these M.Cr.Cs. arise out of the same crime number they are being disposed of by this common order.

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. 136/2019 registered at police station Singhoda, District Mahasamund (CG) for the offence punishable under Section 20(B) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, on receiving secret information, the police seized 40 kgs. of ganja from the possession of the applicants which was kept in the dickey of the car.

Counsels 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. It is further submitted that the applicants are in jail since 26.11.2019 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 applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event 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