

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 377 of 2020

- Neeraj Mishra S/o Shri Kamlesh Mishra Aged About 20 Years
R/o Village Navagaon, District Sahdol, Presently Village Jhiriya,
Police Station Keshvay, District Sahdol M. P., District : Shahdol,
Madhya Pradesh

---- Petitioner

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Chowki Bastar, Police Station Kotwali, District Bastar Jagdalpur
Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

MCRC No. 1442 of 2020

- Shubham Gupta S/o Ramesh Prasad Gupta Aged About 25
Years Resident Of Ward No. 19, Kharika Tola Thana Chachai,
District- Anuppur Madhya Pradesh,

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police
Station- (Outpost- Bastar) Kotwali, District- Bastar Chhattisgarh,

---- Respondent

For Applicant	: Shri Sanjeev Kumar Sahu and Shri Vikas Pradhan, Advocates
For Respondent/State	: Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

27/02/2020

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. 413/2019 registered at police station Outpost Bastar Kotwali, District Bastar (CG) for the offence punishable under Section 20(b)(ii)(c) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, on receiving secret information, the police seized 85 kgs. of ganja from the possession of the applicants.

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 05.08.2019 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