

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2119 of 2020**

- Sanjay Saha S/o Tandaram Saha Aged About 34 Years R/o Kantipali Thana Sariya District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
- Vijay Saha S/o Tandaram Saha Aged About 30 Years R/o Kantipali Thana Sariya District Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Police Station- Sariya, District Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh

---- Respondent

For Applicants	:	Shri Priyank Rathi, Advocate.
For Respondent	:	Shri Vimlesh Bajpai, Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.5.2020**

1. Heard.
2. Admit.
3. 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.13/2020, registered at Police Station -Sariya, District Raigarh(C.G.) for the offence punishable under Sections 21 of the N.D.P.S. Act.
4. It is the case of the prosecution that the applicants were carrying on their unnumbered Kawasaki Boxer motorcycle, in two plastic bags 500 bottles of 100 ml each restricted codeine contained RC cough syrup. The same was seized from them and they were arrested.

5. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question and the above articles does not contain narcotic drugs. He further submits that as the applicants are in custody since 25.2.2020 and the trial is likely to take some time for its final disposal, therefore, they may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. Considering the facts and circumstances of the case, in particular the nature of allegations and the detention period of the applicants and yet challan has not been filed, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
8. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.50,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.
9. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge