

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2712 of 2020**

1. Manish Kumar Ajgale, S/o Basant Kumar Ajgale, Aged About 22 Years, R/o Ward No. 19, Malkharoda, Police Station & Tahsil- Malkharoda, District- Janjgir-Champa, Chhattisgarh.
2. Vikram Ratre, S/o Vijay Ratre, Aged About 22 Years, R/o Ward No. 8, Malkharoda, Police Station & Tahsil- Malkharoda, District- Janjgir-Champa, Chhattisgarh.
3. Dharmendra Rai, S/o Ganpat Rai, Aged About 19 Years, R/o Ward No. 16, Malkharoda Police Station & Tahsil Malkharoda, District- Janjgir-Champa, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station- Birra, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Goutam Khetrapal, Adv.
For Respondent/State	: Mr. Ravish Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.05.2020**

1. Heard on admission.
2. Admit.
3. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 26/2020 registered at Police Station- Birra, District- Janjgir-Champa, (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act.
4. The prosecution story, in brief is that, on 21.02.2020, on the basis of information, police personnel searched and seized 20.100 Kg Ganja from the possession of the applicants. Thereafter, offence has been registered against the present applicants and they have been arrested.
5. Learned counsel for the applicants submits that the applicants are

innocent and have been falsely implicated in the crime in question. The applicants are in jail since 21.02.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

6. On the other hand, counsel for the State opposes the bail application and submits that unauthorized quantity of ganja has been seized from the possession of the applicants and therefore they not may be released on bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicants are in jail since 21.02.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
9. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.
10. It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re: Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), they need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.
11. Certified copy, as per rule.

Sd/-
(Rajani Dubey)
Judge