

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3009 of 2020**

1. Raju Bhatt S/o Govind Bhatt aged about 30 years, R/o Marpa, Police Station-Kawardha, District-Kabirdham, Chhattisgarh.
2. Rakesh Kumar Tandon S/o Malikram Tandon aged about 19 years, R/o Village-Dhanora, Police Station-Pipariya, District-Kabirdham, Chhattisgarh.
3. Parmeshwar Kurre S/o Punaram Kurre aged about 21 years, R/o Village-Dhanora, Police Station-Pipariya, District-Kabirdham, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Pandariya (Wrongly mentioned as Pipariya in the order Sheet), District-Kabirdham, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Dharmesh Srivastava, Advocate.
For Respondent/State	:	Ms. Sunita Jain, G. A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****14/08/2020**

1. Heard on admission.
2. Admit.
3. The accused/applicants have moved this **second bail application** under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 146/2019 registered at Police Station - Pandariya, District-Kabirdham (C.G.) for the offence punishable under Section 20(b) of the Narcotic Drugs & Psychotropic Substances Act.
4. The first bail application of the applicants was dismissed as withdrawn with liberty to file the same at an appropriate stage by this Court on 04.02.2020 in MCRC No. 8213/2019.
5. The prosecution story, in brief is that, police received an information by informant thereafter, police personnel

searched the car Scorpio bearing registration No. CG-09-JH-4195 and sized 125 Kg. of ganja (Cannabis) from the joint possession of the present applicants. Thereafter, offence has been registered against the present applicants.

6. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the charge-sheet has been filed by the prosecution but there is no probability of early disposal of the case as only charge-sheet has been filed and there are 17 witnesses to be examined before the learned trial Court. The applicants are in jail since 22.10.2019, there is no likelihood of their case being decided in near future, therefore, the present appellants may be released on bail.
7. On the other hand, counsel for the State opposes the bail application and submits that the huge commercial quantity of the cannabis has been transported by the applicants, therefore, no case is made out to grant bail to the applicants.
8. I have heard learned counsel for the parties and perused the case diary.
9. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the the present applicants are in jail since 22.10.2019 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.
10. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 1,00,000/- 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.

Sd/-
(Rajani Dubey)
Judge