

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5709 of 2020

1. Ravindra Nagar S/o Jagveer Nagar Aged About 24 Years Caste Gurjar, R/o Nagala, P.S. Sarang, District- Faridabad (Haryana)
2. Bhupendra Khari S/o Mangeram Khari Aged About 22 Years Caste Gurjar, R/o Jonasmana, P.S. Badalpur, Tahsil Dadri, District- Gautambudha Nagar (U.P.)

---- Applicants

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station- Keshkal, District- Kondagaon, Chhattisgarh

---- Respondent

For Applicants	: Mr. Vikash Pradhan, Advocate.
For Respondent/State	: Mr. Sameer Oraon, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

04/11/2020

1. The applicants have preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime no. 79/2018, registered at Police Station Keshkal, District Kondagaon (C.G.) for the offence punishable under Section 20(B) of the NDPS Act.
2. First bail of the applicants was dismissed as withdrawn with liberty to file afresh after examination of seizure witnesses of the case vide order dated 27.06.2019 passed in MCRC No. 3509/2019.
3. As per prosecution story, on 20.07.2018, on the basis of information received from an informant, investigating officer of the case searched vehicle bearing Registration No. HR 26 B5 A250 and seized total 104.560 Kgs. of contraband *ganja* from the possession of the applicants and they have been arrested on 20.07.2018 itself.

4. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that till date only 7 witnesses have been examined and after 27.06.2019 only one seizure witness has been examined. The applicants are in custody since 20-07-2018 and trial is likely to take some time. Hence, it is prayed that the applicants may be released on bail.
5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for both the parties.
7. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that after 27.06.2019 to till date only one seizure witness has been examined, the applicants are is in custody since 20-07-2018 and trial is likely to take some time, without further commenting on other merits of the case, I am inclined to release the applicants on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 4,00,000/- with two one local solvent sureties each of Rs. 2,00,000/- to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge