

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No.6619 of 2020

- Surjeet Kumar Singh S/o Ramkushal Singh, Aged About 26 Years R/o Chhotka Rajpur, P.S. Simri, District Baxer (Bihar)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Tikrapara, District Raipur Chhattisgarh

---Non-applicant

M.Cr.C.No.6620 of 2020

- Ajman Sethiya S/o Late Shri Manbodh Sethiya, Aged About 27 Years R/o Village Niyanar, P.S. Parpa, District Bastar (Jagdalpur) Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Tikrapara, District Raipur Chhattisgarh

---Non-applicant

M.Cr.C.No.6632 of 2020

- Ravi Verma S/o Shri Lal Ji Verma Aged About 22 Years R/o Sarathi Chowk, Mangal Bazar, P.S.- Aajad Chowk, Raipur, District- Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Tikrapara, District- Raipur, Chhattisgarh

---Non-applicant

AND

M.Cr.C.No.6612 of 2020

- Murlidhar Vishwakarma S/o Anil Kumar Vishwakarma Aged About 24 Years Resident Of Guru Govind Singh Ward No. 36, Tetarkhuti, Near Pani Tank, P.S. Bodhghat, District Bastar (Jagdalpur), Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station Tikrapara, District Raipur, Chhattisgarh

---Non-applicant

For Applicants : Shri CR Sahu, Advocate

For Non-applicant : Shri Animesh Tiwari, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09.10.2020.**

1. Proceedings of these matters have been taken up through Video Conferencing.
2. As above mentioned cases arise out of same crime number, they are heard analogously and are being disposed of by this common order.
3. The accused/applicants have moved these bail applications under Section 439 of the Code of Criminal Procedure, 1973 for release of them on regular bail during trial in connection with Crime No. 337 of 2020, registered at Police Station Tikrapara, Civil & Revenue Distt.

Raipur (CG) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

4. Case of the prosecution, in brief, is that, 02.00 Kg ganja was recovered from the joint possession of the present applicants and thereby committed the aforesaid offence.

5. Learned counsel for the applicants submits that the applicants have not committed any offence and they have falsely been implicated in crime in question. They are in jail since 04.9.2020 and trial is likely to take time for its conclusion.

6. On the other hand, learned counsel for the State opposes the bail application.

7. I have heard counsel appearing for the parties and perused the case diary.

8. Taking into consideration the facts & circumstances of the case, nature and gravity of offence, pre-trial detention of the applicants and considering that quantity of narcotic drugs recovered from the applicants which is slightly more than small quantity but less than the commercial quantity, this Court is of the opinion that present are the fit cases, in which, the applicants should be enlarged on regular bail.

9. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

10. It is directed that the applicants shall be released on bail on each

of them furnishing a personal bond in the sum of ₹ 25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

11. 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 23.3.2020 in the matter of In Re : Contagion of COVID 19 Virus in Prisons (Suo Motu 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 bail bonds earlier, then they will be required to furnish bail bonds.

Sd/-
(Sanjay K. Agrawal)
JUDGE