

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7656 of 2020

1. Nakul Rana S/o Badiya Rana Aged About 25 Years R/o Village Aamgaon, Police Station Ghantapada, District Boudh, Odisha
2. Panchanan Rana S/o Dhanurjai Rana Aged About 35 Years R/o Village Duhel, Police Station Puintala, District Balangir, Odisha ---- **Applicants**

Versus

State Of Chhattisgarh Police Station Komakhan, District Mahasamund, Chhattisgarh ---- **Respondent**

For Applicants	:	Shri Utkal Pradhan, Advocate
For Respondent/State	:	Smt. Hamida Siddiqui, Dy. A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/12/2020

Heard.

1. The applicants have been arrested in connection with Crime No.171 of 2020 registered at Police Station- Komakhan, District Mahasamund (CG) (wrongly typed as P.S. Tumgaon in order sheet dated 25.09.2020) for the alleged commission of offence under Section 20(B) of Narcotics Drugs and Psychotropic Substance Act.
2. Case of the prosecution is that from the possession of the applicants, ganja in the quantity of 5 kg. seized from the possession of the applicants.
3. Learned counsel for the applicants would submit that they have been falsely implicated and false seizure has been made and nothing has been seized from the possession of the applicants. He would further submit that the applicants are in jail since 04.09.2020, investigation is complete and charge-sheet has been filed and looking to the quantity of ganja alleged to be recovered from the possession of the applicants and that there is no criminal antecedent of commission of similar offence, the applicants may be granted bail.
4. On the other hand, learned State counsel opposes and submits that from the

proceedings drawn by the Police Officer and recovery proceeding, a prima facie case of applicants having been found in unauthorized possession of ganja is made out.

5. Having considered the submission of learned counsel for the parties, taking into consideration that the applicants are in jail since 04.09.2020, investigation is complete, charge-sheet has been filed and the quantity of ganja alleged to be recovered from the possession of the applicants and that there is no criminal antecedent of commission of similar offence, the application is allowed.
6. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge