

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7516 of 2019

- Vikash Sharma S/o Bajrang Sharma Aged About 38 Years R/o Village Tusra, Thana - Tusra, District Balangir Orissa.,
- Bhattapanigarhi S/o Judhishtir Aged About 32 Years R/o Village Bijakhaman Basti, Balangir Town, District Balangir (Orissa).,

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Simga, District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondent

For applicants	: Shri Sumit Jhanwar, Advocate
For Respondent/State	: Shri V.K.Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

14/01/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 265/2019 registered at police station Simga, district Baloda Bazar, Bhatapara (CG) for the offence punishable under Section 20(b) of the Narcotics Drugs and Psychotropic Substances Act.

As per case of the prosecution, on receiving secret information, the police party apprehended and seized 15 kgs. of the contraband from the possession of the applicants who were transporting the same in a pickup van and a four wheeler going towards Bilaspur from Raipur.

Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime. He submits that the ingredients of alleged offence are not attracted against the applicants. He submits that the applicants are in jail since 23.07.2019 and the trial may take some time for its disposal and therefore they may be released on bail.

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

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, the application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 50,000/- with one surety each in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-

(Rajani Dubey)
Judge