

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7207 of 2019**

1. Rahul @ Rituraj S/o Jaynath Yadav Aged About 30 Years, R/o Village Gadhabaghray, Thana Baksha, District Jaunpur, Uttar Pradesh.
2. Vijendar Yadav S/o Gaurishankar Yadav Aged About 25 Years, R/o Village Gadhabaghray, Thana Baksha, District Jaunpur, Uttar Pradesh.
3. Rajesh Kumar Gautam S/o Bhavbhuti Gautam Aged About 21 Years, R/o Village Dhonai, Thana Baksha, District Jaunpur, Uttar Pradesh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Komakhan, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Vikash Pradhan, Adv.
For Respondent/State	:	Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07/01/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 91/2018 registered at Police Station Komakhan, District-Mahasamund (C.G.) for the offence punishable under Section 20 (B) of Narcotic Drugs and Psychotropic Substances Act.
2. The prosecution story, in brief is that, police received an information by informant thereafter, police personnel searched and seized 105 kg Cannabis (Ganja) from the possession of present applicants. Thereafter, offence has been registered against the present applicants.

3. 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 seizure witnesses have turned hostile and the applicants are in jail since 24.07.2018, there is no likelihood of their case being decided in near future, therefore, the present appellants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. 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 facts that the seizure witnesses have turned hostile and the present applicants are in jail since 24.07.2018 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.
7. 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**