

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7494 of 2019**

- Ajay Shukla S/o Vijay Shukla Aged About 34 Years R/o- Rasul Panah Post Manwa, Thana Atariya District- Sitapur, Uttar Pradesh., District : Sitapur, Uttar Pradesh
- Shashi Kumar S/o Brajlal Aged About 39 Years R/o- Surhupur, Thana- Jalalpur, District- Jonepur, Uttar Pradesh., District : Jaunpur, Uttar Pradesh

**---- Applicants****Versus**

- State Of Chhattisgarh Through Police Thana - Sariya, District - Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

**---- Respondent**


---

|                |   |                                |
|----------------|---|--------------------------------|
| For Applicants | : | Shri Sanjay Agrawal, Advocate. |
| For Respondent | : | Shri V.K.Agrawal, P.L.         |

---

**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 the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.123/2019 registered at Police Station - Sariya, District Raigarh(C.G.) for the offence punishable under Sections 20 (B) of the N.D.P.S. Act.
2. It is the case of the prosecution that on 2.9.2019 police has seized 28 kg of Ganja from the possession of the applicants while they were transporting it in their vehicle.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question and mandatory provisions of the N.D.P.S. Act have

not been complied with. He further submits that as the applicants are in custody since 2.9.2019 and the trial is likely to take some time for its final disposal, they may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular, the quantity of ganja seized from the possession of the applicants and that the applicants are in jail since 2.9.2019, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.50,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.
7. Certified copy, as per rules.

**Sd/-**  
**(Rajani Dubey)**  
Judge