

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7765 of 2019

1. Santosh Dewangan & Ors. S/o Shri Dwarika Prasad Dewangan Aged About 27 Years R/o. Takhatpur, Near Purana Putri Shala, Indira Chowk, Ward No. 8, Takhatpur, District Bilaspur, Chhattisgarh.
2. Yogesh Dewangan S/o Dwarika Prasad Aged About 29 Years R/o. Takhatpur, P.S. Takhatpur, District Bilaspur, Chhattisgarh.,
3. Rinku @ Mataru S/o Laxmichandra Dhruv Aged About 28 Years R/o. Takhatpur, Thakurpara, Ward No. 7, P.S. And Tahsil Takhatpur, District Bilaspur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Takhatpur, District Bilaspur, Chhattisgarh

---- Respondent

For Applicants	: Ms. S.Durga Sarni, Advocate
For Respondent/State	: Shri V.K.Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

21/01/2020

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. 327/2019 registered at police station Takhatpur, District Bilaspur (CG) for the offence punishable under Sections 21, 22 of the Narcotics Drugs and Psychotropic Substances Act. And 34 IPC.

As per case of the prosecution, on the basis of secret

information, police has recovered 28 bottles of Avil each containing 10 ml. ; 56 bottles and 20 bottles of Rexogesic Ampul from applicant No.1 and 10 bottles of Avil each containing 10 ml. And 10 bottles of Rexogesic Ampul from applicant No.2 and 10 bottles of Avil containing 10 ml. Each and 10 bottles of 2ml. Rexogesic Ampul from applicant No.3.

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 is not attracted against the applicants. He submits that the applicants are in jail since 01.11.2019 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 applicant's furnishing a personal bond of Rs. 50,000/- each with one surety 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