

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7632 of 2019**

1. Sanjay Benuwa S/o Late Dara Singh Aged About 28 Years, Resident Of Udiya Basti, Shrinagar, P.S. Khamatarai, District Raipur, Chhattisgarh.
2. Suraj Mahanand S/o Bholaram Mahanand Aged About 30 Years, Resident Of Udiya Basti, Shrinagar, P.S. Khamatarai, District Raipur, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh, Through : The Police Station Ganj, Raipur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Raza Ali, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/01/2020**

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. 391/2019 registered at Police Station Ganj, Raipur, District-Raipur (C.G.) for the offence punishable under Section 21 (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 the 192 and 168 pieces of Spasmo Proxyvol capsules weight 9600 m.g. and 8400 mg. from the possession of the present applicants Sanjay Benuwa and Suraj Mahanand respectively. 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 applicants are in jail since 15.10.2019, 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 present applicants are in jail since 15.10.2019 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. 50,000/- 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**