

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7832 of 2019**

1. Dhanurjay Yadav S/o Sudarshan Yadav Aged About 34 Years R/o Barkhuriya P. S. And Tahsil Lailunga, District Raigarh Chhattisgarh,
2. Shayam Lal Khalkho S/o Mohar Say Khalkho Aged About 36 Years R/o Sinsringa, P. S. And Tahsil Dharamjaigarh, District Raigarh Chhattisgarh,
3. Dev Kumar Chouhan S/o Dayanidhi Chouhan Aged About 34 Years R/o Barkhuriya P. S. And Tahsil Lailunga, District Raigarh Chhattisgarh,

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station Dharamjaigarh, District Raigarh Chhattisgarh

---- Respondent

For Applicants	:	Ms. Akshara Amit, Advocate on behalf of Shri Ashutosh Mishra, Advocate
For Respondent	:	Shri Anil Tripathi, P.L.

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

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.207/2019, registered at Police Station - Dharamjaigarh, District Raigarh (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The prosecution story, in brief, is that the police of police station Dharamjaigarh, acting on a tip-off, seized 3.130 kilogram contraband article cannabis from the possession of the applicants. Based on this, offence has been registered against the applicants. Present applicants have been taken into custody on 29.10.2019.

3. Learned counsel for the applicants submits that the applicant are innocent and have been falsely implicated in the case. She further submits that the contraband article cannabis has been seized from the joint possession of the applicants. She also submits that mandatory provisions of the NDPS Act has not been complied with in its letter and spirit. She next submits that the applicants are in custody since 29.10.2019, the charge sheet has been filed and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, in particular the quantity of ganja, and further considering the fact that the applicants are in custody since 29.10.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.50,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge