

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7706 of 2019**

- Jogni Kurre W/o Chhannu Kurre, aged about 45 years, R/o Mini Basti Jarhabhatha, Police Station Civil Line, Bilaspur, District Bilaspur (C.G.).

---- Applicant**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police Station Civil Line, District Bilaspur.

---- Respondent**And****MCRC No. 7875 of 2019**

- Godawari Bai Patre W/o Ramkumar Patre, aged about 35 years, R/o village Bhunda, Police Station Kota, Tahsil Kota, District Bilaspur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police Station Civil Line, District Bilaspur.

---- Respondent

For Applicants	:	Shri Amit Singh, Advocate
For Respondent	:	Shri V.K. Agrawal, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20/01/2020**

1. Since, the aforesaid bail applications arise out of the same crime number, they are being disposed of together by this common order.
2. The applicants have preferred these first bail applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.746/2019, registered at Police Station - Civil Line,

Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 21 and 22 of N.D.P.S. Act.

3. The prosecution story, in brief, is that the police of police station Civil Line, Bilaspur, acting on a tip-off, seized 150 Rexogesic, 60 pieces of Avil injections & 126 Rexogesic and 20 Avil injections from applicant Jogni Kurre and Godawari Bai respectively. Based on this, offence has been registered against the applicants. Applicants have been taken into custody on 04.11.2019.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that mandatory provisions of the NDPS Act has not been complied with in the present case. He also submits that the applicants are in custody since 04.11.2019 and there is no likelihood of their cases being decided in near future. Therefore, they may be released on bail.
5. On the other hand, learned State counsel opposed the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicants are in custody since 04.11.2019 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.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- - Rs.25,000/- 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.

Sd/-

(Rajani Dubey)
Judge

Pekde