

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7903 of 2019**

- Vishwnath Behara S/o Rajkishor Behara Aged About 26 Years, Resident Of Village Rengali, Thana, Kandhmal, District Baudh, Orissa.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station- Basna, District- Mahasamund, Chhattisgarh.

---- Respondent

MCRC No. 8104 of 2019

- Sanjay Sahu S/o. Kandarpoo Sahu Aged About 36 Years, Cast- Kolta, Resident Of Village Bandapasi, Post Bargauniya, Thana And Tahsil Bantla, District- Angul, Orissa.

---- Applicant

Versus

- State Of Chhattisgarh, Through- Station House Officer, Police Station- Basna, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Vikash Pradhan, Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27/01/2020**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved these first bail applications under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 89/2019 registered at Police Station Basna, District- Mahasamund (C.G.) for the offence punishable under Section 20 (ख)(II)(ग) of Narcotic Drugs and Psychotropic Substances Act.

3. The prosecution story, in brief is that, police received information by the informant thereafter, police personnel searched and seized 52.900 Kg. Cannabis (Ganja) from the joint possession of present applicants. Thereafter, offence has been registered against the present applicants.
4. 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 24.02.2019, there is no likelihood of their case being decided in near future, therefore, the present appellants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 24.02.2019 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 applications are allowed.
8. 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**