

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8075 of 2019**

1. Bharat Patel, son of Nandlal Patel, aged about 40 years, resident of Kankideepa Bramkela Raigarh, District Raigarh (C.G.)
2. Manoj Patel @ Sanju, son of Ramadhar Patel, aged about 25 years, resident of Kankideepa Bramkela Raigarh, District Raigarh (C.G.)
3. Ballabh Chouhan, son of Dipsay Chouhan, aged about 50 years, resident of Benchhi Baramkela Raigarh, District Raigarh (C.G.)
4. Ajeet Digal, son of Jugale Digal, aged about 28 years, resident of Singmila Baliguda Kandmal Odisha

---- Applicants**Versus**

- State of Chhattisgarh Through : The Police Station Baramkela, District Raigarh (C.G.)

---- Respondent

For Applicants. : Shri Sumit Singh, Advocate.
 For Respondent. : Smt. Reena Singh, P.L. for the State

Hon'ble Smt Justice Rajani Dubey**Order on Board****28/01/2020**

1. The applicants have filed this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody since 07.10.2019 in connection with Crime No.184/2019 registered at Police Station : Baramkela, Raigarh (C.G.) for the offence punishable under Section 20 (B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').
2. The prosecution story, in brief, is that the applicants were

found in illegal possession of 8.000 kilogram contraband article cannabis while traveling in Indica car bearing registration No. OR-07-P-9119. Based on this, offence has been registered. The applicant have been taken into custody on 07.10.2019.

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 mandatory provisions of NDPS Act have not been complied with in its letter and spirit. He also submits that the applicants are in custody since 07.10.2019, charge sheet has been filed and there is no likelihood of their case being decided in near future. Therefore, the applicants may be granted bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quantity of ganja and further considering the fact that the applicants are in custody since 07.10.2019, charge sheet has been filed and the final disposal of their case may take some time, without further commenting on merits, this Court is of the opinion that it is a fit case to release the applicants on bail.
7. Accordingly, the application is allowed and the accused/applicants are directed to be released on bail on their furnishing a personal bond of Rs.50,000/- each with one solvent surety for the like sum to the satisfaction of the

concerned trial Court for their appearance before it as and
when directed.

Certified copy as per rule.

Sd/-

(Rajani Dubey)
Judge

Pekde