

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8187 of 2019

1. Shankar Pujari, S/o Om Pujari Aged About 30 Years R/o Village Taragi, Thana- Jaipur, District Koraput (Odisha).
2. Dinesh Jayswal S/o Dilbharan Jayswal Aged About 37 Years R/o Village Jarratola, Thana- Kotma, District- Anuppur, (Madhya Pradesh).

---- Applicants

Versus

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

---- Respondent

For Applicant	: Shri Vikas Pradhan, Advocate
For Respondent/State	: Shri Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

20/03/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.62/2019 registered at police station Singhoda, District Mahasamund (CG) for the offence punishable under Section 20 (B) of the Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, on receiving secret information, the police party reached the spot and seized 301.100 kgs. of ganja from the possession of the applicants which was kept by them in a pickup vehicle .

Counsel for the applicants submits that the applicants have been falsely implicated in the case and the mandatory provisions of NDPS Act have not been complied with. He submits that the seizure and memorandum witnesses have not supported the prosecution case before the trial court. He further submits that the applicants are in jail since 02.-05.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a personal bond in the sum of Rs. 50,000/- with one local surety each for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge