

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8316 of 2019**

- Salman Khan S/o Lt. Akil Ahmad Aged About 24 Years R/o Lakshman Ganj, Chandousi Distt. Sambhal, Uttar Pradesh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Tongpal, District Sukma, Chhattisgarh.

---- Respondent**MCRC No. 58 of 2020**

1. Nikhil Bachar (Basad) S/o Sawroop Bachar Aged About 33 Years R/o Mv 33 Police Station Malkangiri, District Malkangiri, Odisha.
2. Aananta Ghosh S/o Tarun Ghosh Aged About 25 Years R/o Mv 91 Police Station Malkangiri, Post And District Malkangiri, Odisha.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Police Station Tongpal, District Sukma, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Rajbahadur Singh, Adv. in MCRC No. 8316/2019. Mr. F. S. Khare, Adv. in MCRC No. 58/2020.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/02/2020**

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. 19/2019 registered at Police Station Tongpal, District-Sukma (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.

3. The prosecution story, in brief is that, police received information by the informant that 4 persons was carrying cannabis (Ganja) in a white Maruti Suzuki Swift bearing registration No. CG-04-M-9768, thereafter, police personnel searched and seized 85.50 Kg. Cannabis (Ganja) from the joint possession of present applicants and one other co-accused. Thereafter, offence has been registered against the present applicants and other co-accused.
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 present applicants and the applicants are in jail since 08.05.2019, 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 08.05.2019 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. 1,00,000/- 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