

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1366 of 2021**

1. Udal Sahu, S/o. Shri Manharan Sahu, aged about 36 years, R/o. Sondongri, Talab Par, Police Station Kabir Nagar, Raipur, District Raipur Chhattisgarh.
2. Pradeep Kesharwani, S/o. Shri Laxmi Prasad Kesharwani, aged about 40 years, R/o. Rotari Nagar, Tatiband, Police Station Amanaka, Raipur, District Raipur Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station Urla, District Raipur Chhattisgarh.

---- Respondent

For Applicants : Mr. Rekhraj Baghel, Advocate

For Respondent/State : Mr. Alok Nigam, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****30/06/2021**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.19/2021, registered at Police Station – Urla, District – Raipur (C.G.) for the offence punishable under Section 20 (B) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. The applicants are in jail since 20.01.2021. Charge-sheet in this case has been filed and the trial is not making any progress. Therefore, it is prayed that the applicants may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the contraband seized from the possession of the applicants is more than small quantity, therefore, they should not be released on bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, police personnel of police Station – Urla, District – Raipur made seizure of 2.3 Kg cannabis from the applicant No.1 and 2.9 Kg cannabis from the applicant No.2. Hence, this case.
6. Considered on the submissions and the facts of the case. Considering that the applicants are resident of this State, trial against them is not making any progress and they are in jail since 20.01.2021, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge