

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1967 of 2021**

1. Rajendra Kumar Thakur, S/o Prakashchandra Thakur, Aged About 32 Years, R/o Gandhi Nagar Colony, New Civil Line Ward No. 1, Jayprakash Narayanward Harda (M.P.).
2. Arjun Chakarde, S/o Mukesh Chakarde, Aged About 20 Years, R/o Village Dhudagada, Ward No. 3, Gahal, District Harda (M.P.).

---- Applicants**Versus**

- The State Of Chhattisgarh Through Police Station Bastar, District- Bastar Chhattisgarh.

---- Respondent

For Applicants	: Mr. Arvind Shrivastava, Adv.
For Respondent/State	: Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.04.2021**

1. The matter is heard through video conferencing.
2. The accused/applicants have moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 121/2020 registered at Police Station- Bastar, District- Bastar (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act.
3. The prosecution story, in brief is that, applicants were found in illegal possession of total 30.500 kg of Ganja. Thereafter, offence has been registered against the present applicants and they were taken into custody.
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 vehicle in which ganja has been seized, was registered on the name of another co-accused

namely Shajid Khan. He next added that no antecedents have been registered against the present applicants and they are in jail since 30.07.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

5. On the other hand, counsel for the State opposes the bail application submitting that present applicants were in illegal possession of ganja and they were arrested from the spot, therefore, no case is made out to release them on bail.
6. I have heard learned counsel for the parties and perused the records.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that no antecedents have been registered against the present applicants and the applicants are in jail since 30.07.2020 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 application is 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**

Ruchi