

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2623 of 2021**

Dipak Lovansi, S/o. Mangilal Lovansi, aged about 27 years, resident of Village Deharikala, Post Sankheda, Thana Bharkachehh District Raisen Madhya Pradesh.

---- Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, Police Station Basantpur, District Rajnandgaon Chhattisgarh

---- Respondent

AND**M.CR.C. No. 2738 of 2021**

Ghansi Ram Rajput, S/o. Kumer Singh Rajput, aged about 49 years, R/o. Village Deharikala, Post Sankheda, Thana Bharkachehh, District Raisen, Madhya Pradesh

---- Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, Police Station Basantpur, District Rajnandgaon, Chhattisgarh

---- Respondent

For Applicants	: Mr. Vikash Pradhan, Advocate
For Respondent/State	: Mr. Ashish Tiwari, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

08/06/2021

- Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and incident.
- These are the first bail applications 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.95/2021, registered at Police Station – Basantpur, District – Rajnandgaon (C.G.) for the offence punishable under Section 20(b) of the N.D.P.S. Act.

3. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. The trial against these applicants has not made any progress. The applicants are in jail since 26.02.2021. Further Corona pandemic is continuing. Hence, it is prayed that the applicants may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that both the applicants are resident of other State and if they are released on bail, they may not be available for trial. Hence, they may not be released on bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. The police personnel of Police Station – Basantpur, District – Rajnandgaon made recovery of 8 Kg. of Ganja from the Car, in which, the applicants in both the cases were traveling.
7. Considered on the submissions. Taking into consideration this fact that the trial against these applicants is not making any progress because of the current pandemic situation, therefore, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
8. Accordingly, both the bail applications filed under Section 439 of the Cr.P.C. are allowed.

9. 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

Balram