

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
Proceedings through Video Conferencing

MCRC No. 2416 of 2021

1. Paleshwar Chouhan S/o Mohan Lal Chouhan, Aged About 26 Years Caste Gada, R/o Mudgaon (Budhapara), Police Station And Tahsil Lailunga, District Raigarh Chhattisgarh
2. Jalendra Ram, S/o Dhaniram, Aged About 26 Years Caste Cheek, R/o Village Shabdmunda, Pradhantoli, Chowki- Kotba, Tahsil Kansabel, District Jashpur Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police
Station Patthalgaon, District Jashpur Chhattisgarh

---- Non-applicant

 For Applicant : Shri Sanjeev Sahu, Advocate
 For Applicant : Shri Anand Sharma, Dy. Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board

31-5-2021

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants, who have been arrested on 7-2-2021 in connection with Crime No. 41/2021 registered at Police Station Patthalgaon, Distt. Jashpur (C.G.), for the offence punishable under Section 20-B of the Narcotic Drugs and Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on 7-2-2021, SHO of the Patthalgaon Police Station received an information that two persons are carrying Ganja on a motorcycle without registration number from Lailunga via Patthalgaon – Shivpur. On the said information, police stopped the applicants at village Shivpur Tihara and seized 3.950 kg Ganja from applicant No. 1 Paleshwar Chouhan and 3.780 kg. Ganja from applicant No. 2 Jalendra

Ram. Thereafter Crime No. 41/2021 punishable under Section 20-B of the NDPS Act was registered against the applicants.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated. He further submits that the applicants are in jail since 7-2-2021, the applicants will not abscond if bail is granted, charge sheet has already been filed, therefore, present applicants may be enlarged on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.

5. Looking to the facts and circumstances of the case, nature and gravity of offence, period of detention and also considering the fact that the trial will take some more time for its conclusion, and as per submission of applicant's counsel charge sheet has been filed, without further commenting on merits of the case, I am inclined to release the applicants on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of their furnishing a personal bond in sum of Rs. 50,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. They shall appear before the trial court regularly on each and every date as per direction of the court, unless exempted from appearance.

7. In view of above, I.A. No. 1/201 for urgent hearing, I.A. No. 2/2021 for listing the case during summer vacation stand disposed of.

Certified copy as per rules.

Sd/-
(N.K. Chandravanshi)
VACATION JUDGE

pathak/-