

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2900 of 2021**

1. Irfan Khan, S/o Idrish Khan, aged about 26 years, R/o Parchha, Post - Padori, Police Station - Maudaha, District - Hamirpur (U.P.).
2. Sartaz Ahmed, S/o Mukhtar Ahmed, aged about 27 years, R/o Gudiyari, Police Station - Maudaha, District - Hamirpur (U.P.).

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Office, Police Station Komakhan, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Non-applicant

For Applicant	:	Shri Raghvendra Pradhan, Advocate.
For Non-applicant/State	:	Shri Alok Nigam, Government Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

02.07.2021

1. Heard on the application filed under Section 439 of Cr.P.C. This is the first bail application filed for grant of regular bail. The Applicants have been arrested on 20.03.2021 in connection with Crime No. 45 of 2021 registered at Police Station Komakhan, District Mahasamund (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substance Act, 1985.
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 20.03.2021. Charge-sheet has been filed and the trial against them is not making any progress. Therefore, it is prayed that the bail may be granted to the Applicants.
3. The learned counsel for the State opposes the application and the submission made in this respect. It is submitted that the Applicants are

resident of Uttar Pradesh, therefore, in case they are released on bail, they may not be available for the trial. Hence, the Applicants are not entitled for grant of bail.

4. I have heard the learned counsel for the parties and perused the record.
5. As per the prosecution case, the Police of Police Station Komakhan, District Mahasamund has recovered 15 kg of cannabis from the car bearing registration No. U.P-93-AB-6575 from the possession of the Applicants, on the basis of which the offence has been registered.
6. Considered on these submissions. It appears that the trial against the Applicants is pending and it is getting extended due to the pandemic situation, therefore, I am inclined to allow this bail application.
7. Consequently, the application filed by the Applicants under Section 439 of Cr.P.C for grant of regular bail is hereby allowed.
8. It is directed that the Applicants shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- each with one surety 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