

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3063 of 2021**

1. Naveen Budek S/o Yudhishtir Budek, Aged About 30 Years By Caste - Sanwra, R/o Village - Khairmal, Police Station - Saraipali, District - Mahasamund, Chhattisgarh.
2. Pitamber Budek, S/o Yudhishtir Budek, Aged About 26 Years By Caste - Sanwra, R/o Village - Khairmal, Police Station - Saraipali, District - Mahasamund, Chhattisgarh.
3. Basant Sidar, S/o Laxman Sidar, Aged About 30 Years Caste - Gond, R/o Village - Khairmal, Police Station - Saraipali, District - Mahasamund, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through - Station House Officer, Police Station - Saraipali, District - Mahasamund, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Raghvendra Pradhan, Adv.
For Respondent/State	:	Ms. Hamida Siddiqui, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02/06/2021**

The matter is heard through video conferencing.

Heard.

Admit.

1. 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. 167/2021 registered at Police Station Saraipali, District- Mahasamund (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act.
2. The prosecution story, in brief is that, police personnel searched and sized 4.900 Kgs. of ganja (Cannabis) from the joint

possession of the present applicants. Thereafter, offence has been registered against the present applicants.

3. 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 alleged recovered cannabis is much less than the commercial quantity. He also submits that the applicants are in jail since 04.05.2021, there is no likelihood of their case being decided in near future, therefore, the present appellants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the facts that the present applicants are in jail since 04.05.2021 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.
7. 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)
Vacation Judge