

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3586 of 2021

1. Priyansh Tripathi S/o Pankaj Kumar Tripathi, Aged About 22 Years, R/o Jail Road, Police Line, Ward No. 05, Police Station City Kotwali, Post Tahsil and District Banda (U.P.), District : Banda, Uttar Pradesh
2. Abhay Singh Patel S/o Subhish Singh Patel, Aged About 24 Years, R/o Suraj Colony, Jail Road, Police Line, Ward No. 05, Police Station City Kotwali, Post, Tahsil and District Banda (U.P.), District : Banda, Uttar Pradesh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police of Police Station Arjuni, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

----Non-applicant

For Applicants – Shri Achyut Tiwari, Advocate.

For Non-applicant/State – Shri Ajay Kumbharani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07-07-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 28-02-2021 in connection with Crime No.75/2021 registered at P.S. - Arjuni, District Dhamtari, Chhattisgarh for the offence under Section 20 (B) of N.D.P.S. Act.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated. They have not committed any offence. They are in jail since 28-02-2021. Charge sheet has been filed. Therefore, it is prayed that they may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that both these applicants are residents of Uttar Pradesh, therefore, if they are granted bail, they may not be available for the trial. Hence, the application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.
5. 10 kg. Cannabis has been recovered from the applicant No.1 and 4.5 kg. Cannabis has been recovered from applicant No.2. Hence, this case.
6. Considered on the submissions and the facts of the case. Looking to the length of detention of the applicant in jail and also after filing of the charge sheet trial against these applicants will take some time before its conclusion, hence, I feel inclined to allow this application.
7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge