

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4034 of 2021**

- Mohammed Iklakh Siddiqui S/o. Mr. Kallan Siddiqui Aged About 25 Years R/o. Ramganj, Old Market, Police Station Aspur Deosara, District Pratapgarh, Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Nagarnar District Bastar Jagdalpur (Chhattisgarh)

---- Respondent

MCRC No. 2394 of 2021

- Acchelal Verma S/o Shri Sitaram Verma Aged About 27 Years R/o Purani Patti Ward Number 2, Khas Patti, District-Pratapgarh, Uttar Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Nagarnar, District- Bastar, Jagdalpur, Chhattisgarh.

---- Respondent

For Applicants :- Mr. Ashwin Panickar, Adv and Mr. Arjit Tiwari, Adv

For Respondent-State :- Mr. Chandresh Shrivastava, Dy.A.G.

Hon'ble Shri Prashant Kumar Mishra, Ag.CJ
Order On Board

05/07/2021

1. Since both the bail applications are arising out of same crime number they are being heard and decided by this common order.
2. The applicants have preferred these **second** bail applications under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with crime No.148/2020 registered in Police Station Nagarnaar, District Bastar C.G. for the offence punishable under Section 20(b) ii (c) of the NDPS Act.
3. The first bail applications of both the applicants were dismissed for non-compliance of Court order.
4. These two applicants along with three other accused persons were traveling from Orissa to Uttar Pradesh in a Scorpio car carrying 100 kg of Cannabis (*ganja*) when they were intercepted at Amaguda Chowk at NH63. While three accused persons were arrested, two other managed to abscond. 100 kg of Cannabis (*ganja*) was recovered from three arrested accused.
5. Learned counsel for the applicants submits that while collecting seizure, the concerned Police officer has committed irregularity and moreover five persons were traveling with 100 kg of cannabis, therefore, each of the

accused would be having 20 kg of cannabis. He would further submit that applicants are in jail since 14.9.2020, therefore, they are entitled to be released on bail.

6. Learned State counsel would oppose the prayer for grant of bail.
7. Considering the entire fact situation of the case and mainly the length of pre-trial detention, I am inclined to release the applicants on bail.
8. Accordingly, the second bail applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

SD/-
(Prashant Kumar Mishra)
Acting Chief Justice

Ayushi