

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.4448 of 2021

- Lucky Jaiswal S/o Late Shri Bhuvneshwar Aged About 20 Years R/o Bargarh, Kharsia, District- Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Kotwali, District- Korba, Chhattisgarh

---- Respondent

M.Cr.C. No.4686 of 2021

- Vikki Tiwari S/o Shri Digambar Tiwari Aged About 23 Years R/o Village Ludhiya, Police Station Kharsia, District Raigarh Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kotwali, District Korba Chhattisgarh

---- Respondent

For Applicant	: Mrs. Madhunisha Singh, Advocate.
For Non-applicant/State	: Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

19-08-2021

Heard.

1. As both these applications arise out of the same crime numbers i.e. Crime No.462/2021, registered at P.S.- Kotwali, Korba, District- Korba (C.G.) for the offence under Section 20B of N.D.P.S. Act, they are being decided by this common order.
2. It is submitted by learned counsel for the applicant in both the cases that the applicants are in jail since 31.05.2021. No seizure of contraband has been made from the possession of these applicants. Therefore, it is prayed that these applicants may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that 3 kg ganja was seized from the possession of co-accused Satish Sonwani and these applicants were in his company when the seizure was made, therefore, their applications may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on the date of incident, 3 kg ganja was seized from the possession of co-accused Satish Sonwani and seizure of one motorcycle has been made from Lucky Jaiswal and no seizure has been made from the co-accused Vikki Tiwari. Hence, this case.
6. After considering on the submissions and looking to the nature of allegations present against these applicants, I feel inclined to allow both these applications.
7. Consequently, both these applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail are hereby allowed. It is directed that the applicants shall be released on bail on their 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.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge