

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4670 of 2021**

1. Prem Sushil Baghel S/o Late Asman Baghel Aged About 34 Years R/o Village Markel, Sivniguda, Police Station Nagarnar, Tahsil Jagdalpur District Bastar Chhattisgarh
2. Yogesh Kashyap S/o Late Udadhap Kashyap Aged About 22 Years R/o Village Panarapara, Khadagghat, Jagdalpur, Tahsil Jagdalpur District Bastar Chhattisgarh

---- Applicants**Versus**

State of Chhattisgarh through Station House Officer, Police Station
Nagarnar, Tahsil Jagdalpur District Bastar Chhattisgarh

---- Non-applicant

For applicant	Mr. Prem Sushil Baghel, Adv.
For non-applicant/State	Mr. B.P. Banjare, Dy. Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi**Order on Board****11-11-2021**

1. As per applicants, this is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no bail application is pending before any other court.
2. The applicants have been arrested in connection with Crime No. 32/2021 registered in police station Nagarnar, Distt. Bastar, (CG) for offence punishable under 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. Brief facts of the case are that on 19-2-2021, based on information received from informant, police officials of PS Nagarnar, Distt. Bastar stopped pick-up vehicle bearing registration No. CG 17 KS 8839, in which applicants were seated and on search, total 22 kg contraband Ganja was seized from joint possession of applicants from the aforesaid vehicle. Hence, they were arrested on 19-2-2021.

4. Counsel for the applicant argued that the applicants have been falsely implicated in this case. Nothing has been seized from their possession. They have no criminal antecedent. They are in custody since 19-2-2021. Charge sheet has been filed. Trial is likely to take more time. Therefore, they may be released on bail.
5. On the other hand, the State Counsel opposed the bail application and submitted that huge quantity of contraband Ganja has been seized from the applicants, hence they are not entitled for grant of bail.
6. I have heard counsel for both the parties and perused the case diary and the material available on record.
7. Considering the facts and circumstances of the case, pre-trial detention period of the applicants, charge sheet has been filed, trial is likely to take more than, without commenting anything on merit of the case, I feel inclined to allow the bail application. Therefore, the application is allowed. It is ordered that if each of applicants furnishes two sureties for a sum of Rs. 50,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned for their appearance before the concerned Court as and when directed by the said Court, they be released on bail.
8. CC as per rules.

Sd/-
(N.K. Chandravanshi)
Judge