

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5865 of 2021**

1. Sarfaraz Khan S/o Shri Mohammad Sirajuddin Khan Aged About 31 Years Caste Muslim, R/o Puchapara, Ward No. 05, PS And Tehsil Katghora, District-Korba, Chhattisgarh
2. Riyaz Ahmad S/o Shri Habib Ansari, Caste Muslim, R/o Ward No. 7, Surabahal, Rani Laxmi Bai Nagar, Katghora, District-Korba, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through P.S.-Nagarnar, District-Bastar, Chhattisgarh

---- Respondent

For Applicants	:-	Mr. Santosh Bharat, Advocate
For Respondent-State	:-	Mr. Arjit Tiwari, PL

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

15/09/2021

1. Heard.
2. This is a **second** application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with Crime No.163/2020, registered at Police Station Nagarnar Distt. Bastar C.G. for the offence punishable under Sections 20 (B) (ii) (b) of the NDPS Act.

3. Earlier, the first bail application was dismissed with liberty to revive the prayer at an appropriate stage.
4. These applicants were found in joint illicit possession of 15 kgs of ganja on 18.10.2020.
5. Learned State counsel would oppose the prayer for grant of bail, however, he would submit that the concerned SHO has not reported any previous criminal antecedent of having committed similar nature of crime.
6. Considering the fact that applicants are in jail since 18.10.2020 i.e., for about 11 months and conclusion of trial may take some more time, I am inclined to release the applicants on bail.
7. Accordingly, the application is 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.

Certified copy as per rules

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Ayushi