

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 5161 of 2021

1. Janardan Dhruwa, S/o Kartikram Dhruwa, Aged about 26 years,
2. Vyasdev Bhatt, S/o Sabit Bhatt, Aged about 20 years,

Both Applicants are R/o- Village- Niladhar, Police Station- Paikmal ,
District- Bargarh (Orissa).

3. Divyakishore Pradhan, S/o Mangan Pradhan, Aged about 22 years, R/o-
Village- Jamset , District- Bargarh (Orissa). **---- Applicants**

Versus

- State of Chhattisgarh, through- Station House Officer, Police Station- City
Kotwali, Gariyaband, District- Gariyaband (C.G.). **---- Respondent**

For Applicants	:	Mr. S.P. Sahu, Advocate.
For State/Respondent	:	Ms. Hamida Siddiqui, Dy. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh SamantOrder on Board06/10/2021

1. Heard.
2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicants for grant of regular bail to them as they are in custody in connection with Crime No. 126/2021 registered at Police Station- City Kotwali, Gariyaband (C.G.) for offence punishable under Section 20-B of the N.D.P.S. Act.
3. It is submitted by learned counsel for the applicants, that the applicants have falsely implicated in this case. They are in jail since 19.04.2021 and charge-sheet has also been filed. There is a

likelihood of delay in charge. Hence, it is prayed that the applicants may be enlarged on regular bail.

4. On the other hand, learned counsel for the State opposes the bail application and submissions made in this respect. She submits that all the applicants are resident of Orissa. Therefore, it is prayed if the applicants may be granted bail they may not be appear in the trial. Hence, the application may be rejected.
5. I have heard counsel for both the parties and perused the case diary.
6. As per prosecution case, it is alleged that 4 Kg. Ganja was seized from the possession of applicant No. 2 and 4 Kg. Ganja was seized from the possession of applicant No. 3 whereas one motorcycle was seized from the possession of applicant No. 1 on which all three applicants were travelling and transporting the contraband.
7. Considered on the submissions, it appears that the applicants do not have any criminal antecedents and there is on likelihood that the charge against them may be delayed, therefore, I feel inclined to allow the application of these applicants.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs. 25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge