

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 5262 of 2021**

1. Sudhir Purohit, S/o. Gadigopal Purohit, aged about 41 years, R/o. Village - Dangpali (Wrongly Mentioned As Dongarpali In Order Sheet) Station - Bheden, Distt. - Bargarh (Odissa).
2. Hansraj Sharma, S/o. Late Virendra Sharma, aged about 51 years, R/o. Village - Khutlipali, P.S. - Bheden, Distt.- Bargarh (Odissa)

---- Applicants**Versus**

State Of Chhattisgarh Through Police Station - Pithora, Distt. Mahasamund (Chhattisgarh).

---- Respondent

For Applicants	: Mr. Sanjay Agrawal, Advocate
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****25/08/2021**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.155/2021, registered at Police Station – Pithora, District – Mahasamund (C.G.) for the offence punishable under Section 20 (B) of Narcotic Drugs Psychotropic Substance Act.
2. It is submitted by the learned counsel for the applicant that the applicants have been falsely implicated in this case. The applicants are in jail since 07.07.2021. As there is likelihood of delay in investigation and conclusion of trial. Hence, it is prayed that the applicants may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted

that quantity of contraband seized is more than small quantity and both the applicants are resident of Orissa, therefore, in case, they are released on bail, they may not be available for trial. Hence, it is prayed that the applicants may not be released on bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, 4 Kg. Ganja was seized from the possession of the applicants jointly by the police personnel of Police Station – Pithora.
6. Considered on the submissions. As it appears that these applicants do not have any criminal antecedents and there is likelihood of delay in investigation and conclusion of trial, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge