

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 5659 of 2021**

1. Madhav Pradhan, S/o. Panchu Pradhan, aged about 40 years, R/o. Palsaguda, P.O. - Baghiyabal, Manamunda, District- Baudh (Odisha).
2. Pintu Nayak, S/o. Gethal Nayak, aged about 22 years, R/o. Dhanakhandi, P.O.- Rundimahul, Kantamal, District- Baudh (Odisha).

---- Applicants

Versus

State of Chhattisgarh, Through : the Police Station- Sarsiva, District- Balodabazar, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Ritesh Verma, Advocate
For Respondent/State	: Ms. Shivali Dubey, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****02/09/2021**

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.139/2021, registered at Police Station – Sarsiva, District – Balodabazar (C.G.) for the offence punishable under Section 20-B of the N.D.P.S. Act, 1985.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. The applicants are in jail since 01.07.2021. Charge-sheet in this case has been filed and there is likelihood of delay in conclusion of trial. Therefore, it is prayed that the applicants may be released 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 both the applicants are resident of Odisha and in case they are released on bail, they may not be available for trial. Hence, the

applicants are not entitled for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per prosecution case, on the date of incident, 11.200 Kg. of Ganja has been seized from the possession of the applicant No.1, while the applicant No.2 was in his company.
6. Considered on the submissions. As it appears that these applicants do not have any criminal antecedents and there is no possibility of trial against them to conclude in near future, 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