

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6283 of 2021

- Nikhil Yadav @ Aasu S/o Late Ramnarayan Yadav, Aged About 24 Years, R/o Near Shyam Nagar, Tarubhai, Police Station - Telibandha Raipur District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Chowki - Telibandha Raipur District Raipur Chhattisgarh

---- Non-applicant

MCRC No. 6707 of 2021

- Jitendra Das @ Lalla S/o Suresh Das, Aged About 25 Years, R/o Christian Colony, Near Durga Mandir, Shyam Nagar, Police Station - Telibandha, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Police Station - Telibandha, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Navin Shuka, Advocate in MCRC No.6283 of 2021.
Shri H.A.P.S. Bhatia, Advocate in MCRC No.6707 of 2021.
For State/Non-applicant – Shri Ajay Kumarani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

23-09-2021

1. As both these applications arise out of the same crime number, they are being decided by this common order.
2. Both these applications filed under Section 439 of the Cr.P.C by the applicants are their first bail applications before this Court for grant of regular bail. Applicant Nikhil Yadav @ Aasu (applicant in MCRC No.6283 of 2021) has been arrested on 30-05-2021 and applicant Jitendra Das @ Lalla (applicant in MCRC No.6707 of 2021) has been arrested on 31-05-2021.

Both these applicants have been arrested in connection with Crime No.184/2021 registered at P.S. - Telibandha, District Raipur, Chhattisgarh for the offence under Section 20(B) of Narcotic Drugs and Psychotropic Substances Act (in short 'the NDPS Act').

3. Learned counsel for applicants in both the applications submit that these applicants have been falsely implicated. Applicant Nikhil Yadav @ Aasu is in jail since 30-05-2021 and applicant Jitendra Das @ Lalla is in jail since 31-05-2021. Charge sheet has been filed. Co-accused Manish Singh has been granted bail by coordinate Bench by order dated 16-08-2021 passed in MCRC No.4518 of 2021. Therefore, it is prayed that both these applicants may also be granted bail.
4. Learned counsel for the State/non-applicant opposes the applications.
5. Heard learned counsel for the parties and perused the case diary.
6. 21.1 kg. Ganja has been seized from the joint possession of the applicants in both the applications and one Manish Singh. Hence, this case.
7. Considered on the submissions. As the co-accused person Manish Singh has been granted bail by the coordinate Bench and these applicants are also similarly placed, therefore, I feel inclined to allow both these application.
8. Consequently, both these applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail are hereby allowed. It is directed that these applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge