

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7223 of 2021

1. Durgesh Rathore S/o Jhulelal Aged About 28 Years R/o Khotkharra Lalpur Gourela, District Gourela Pendra Marwahi Chhattisgarh.,
 2. Ravi Kumar Rathore S/o Ramlal Rathore Aged About 25 Years R/o Gourela, Tahsil Gourela Pendra, District Gourela Pendra Marwahi Chhattisgarh.
- Applicants**

Versus

State of Chhattisgarh through Station House Officer, Police Station City Kotwali, Mungeli, District Mungeli Chhattisgarh.

--- Respondent

For the applicants	:	Mr. Awadh Tripathi, Advocate.
For the Respondent	:	Ms. Akshara Amit, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10.12.2021

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 301/2021 registered at Police Station City Kotwali, Mungeli (C.G) for the offences punishable under Sections 20-B of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, on 27.06.2021 having received the information that the Vehicle bearing Regn.No.C.G. 10 AY 9204 wherein the applicants were sitting, was carrying contraband ganja the police intercepted the vehicle and on search being made, 40 Kgs., of contraband ganja was recovered from the vehicle, thereby the offence is committed.
3. At the outset, learned counsel submits that there are two

applicants in this case and he wants to withdraw the bail application of Applicant No.1 Durgesh Rathore. Accordingly, the bail application of Durgesh Rathore is dismissed as withdrawn.

4. In so far as the bail of applicant Ravi Kumar Rathore, learned counsel submits that the entire recovery was made from the Dicky of the car, which was shown to be in possession of the Durgesh and no recovery was made from applicant Ravi Kumar Rathore.
5. Per contra, learned State Counsel opposes the bail application and submits that the recovery of cannabis was made from joint possession of Durgesh and Ravi Kumar.
6. Perused the charge sheet. Prima facie the charge sheet shows that during search, the Talashi Panchnama of the accused was prepared and the recovery has been shown from Durgesh. Taking into consideration such fact, I am inclined to allow the bail application of applicant No.2 Ravi Kumar Rathore.
7. Accordingly, the bail application is allowed and the applicant Ravi Kumar Rathore is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE