

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7167 of 2021

1. Ram Sarkar Kashyap (But Ram Sarkar Wrongly Mentioned In Lower Court Order) S/o Ramdhan Kashyap Aged About 33 Years (But Radhan Kashyap Wrongly Mentioned) R/o Village Bhadripali, Police Station Champa, District Janjgir Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
2. Manoj Kumar Kewant S/o Kushal Prasad Kewant Aged About 22 Years R/o Village Kamrid Police Station Saragaon, District Janjgir Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Sariya, District Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Kamlesh K. Pandey, Advocate
For Respondent/State	:	Mrs. Smriti Shrivastava, Panel Lawyer.

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

08/10/2021

Heard.

1. 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. 174/2021 registered at Police Station Sariya, District Raigarh (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs & Psychotropic Substance Act.
2. It is submitted that the applicants are innocent who have been falsely implicated in this case. The applicants are in jail since 12.08.2021. No

case is made out against these applicants, therefore, prayer is made to release the applicants on bail.

3. Per contra, learned State counsel opposes the bail application.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per prosecution case, in total 5.5kg of ganja was seized from the possession of applicant No.1 whereas the applicant No.2 was in his company. Hence, this bail application.
6. Considered on the submissions. The applicants do not have any criminal antecedent and there is likelihood of delay in conclusion of trial and investigation, I feel inclined to allow this bail application and release these applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant 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