

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7166 of 2021

1. Pitambar Bagh, S/o Gadaram Bagh Aged About 35 Years Caste Savara, R/o Village Ringapada, Thana Kantamal, District Boudh, Odisha, District : Baudh *, Orissa
2. Surajmani Bhoi, S/o Dhanurjay Bhoi Aged About 19 Years Cast Kond R/o Village Banlegjor Thana Kantamal, District Boudh, Odisha, District : Baudh *, Orissa
3. Chaitanya Bhoi, S/o Bishikeshan Bhoi Aged About 26 Years Caste Kond, R/o Village Ringapada, Thana Kantamal, District Boudh, Odisha, District : Baudh *, Orissa

---- Applicants

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station Basna, District : Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Vikash Pradhan, Advocate
For Respondent/State	:	Ms. Akshara Amit, PL.

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 applicant for grant of regular bail to him as he is in custody in connection with Crime No. 410/2021 registered at Police Station Basna, District Mahasamund (C.G.) for the offence punishable under Section 20b of the Narcotic Drugs & Psychotropic Substance Act.
2. It is submitted that the applicant is innocent who has been falsely

implicated in this case. The applicant is in jail since 05/08/2021. Charge-sheet has been filed, therefore, prayer is made to release these applicants on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that applicants are resident of Odisha, if, they are released on regular bail they may not be available for trial, which will hamper the proceeding of trial, hence, they 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, in total 10kg of ganja was seized from the joint possession of these applicants when the same was being transported by them. 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 the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants 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