

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 7229 of 2021

1. Sajan Choudhary S/o Mulchand Choudhary, Aged About 28 Years
R/o Village Atariya, Ward No. 7, Budhar, District Shahdol (M.P.)
2. Sameer S/o Mohd. Asgar Siddiqui, Aged About 21 Years R/o
Village Dindouri, Ward No. 04, Police Station And District
Dindouri (M.P.)
3. Manish Das Tandiya, S/o Badludas Tandiya, Aged About 30 Years
R/o Village Devari, Police Station And District Dindouri (M.P.)

---- Applicants

Versus

1. State Of Chhattisgarh Through Station House Officer, Police
Station Hirri, District Bilaspur Chhattisgarh

---- Respondent

For Applicants

Mr. Rajeev Kumar Dubey, Advocate

For Respondent /State

Ms Akshra Amit, Panel Lawyer

Order on BoardByHon'ble Shri Justice Goutam Bhaduri10/12/2021

1. Heard.
2. The applicants have preferred this bail application under Section 439 of the Cr.P.C. for grant of bail as they have been arrested in connection with Crime No.102/2021, registered at Police Station Hirri, District Bilaspur (CG), for the offence under Section 20(b)(ii)(C) & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. As per the prosecution case, the applicants were found in possession of 28 kgs. of contraband and thereby committed the offence under the provisions of the NDPS Act.
4. Learned counsel for the applicants would submit that the other co-accused persons who were in joint possession of the alleged contraband namely; Rajesh Mahra and Gopal Prasad Mahra have been enlarged on bail by order dated 1-11-2011 passed by the coordinate Bench of this Court in M.Cr.C.No.8153 of 2021. He would further submit that the case of the present applicants is similar to the case of released co-accused and hence the same benefit may be extended to the applicants.
5. Learned counsel for the State not able to dispute the fact that the similarly placed co-accused persons have been released on bail.
6. Considering the entire facts situation of the case, particularly considering the fact that the other co-accused have already been released on bail, as also for the fact that the applicants are in jail since 6-7-2021, I am of the opinion that present is a fit case to release the applicants on regular bail.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.1,00,000/- with one surety in the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.
8. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
Judge

Gowri