

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8546 of 2020**

1. Lokeshwar Dhiwar, S/o Late Basant Dhiwar, Aged About 38 Years, R/o Ajad Chowk Budera Kharora, Police Station, Kharora, Tahsil & District- Raipur Chhattisgarh.
2. Omprakash Banjare, S/o Shri Shukalu Banjare, Aged About 29 Years, R/o Village Bana Kharora, Police Station Kharora, Tahsil & District Raipur Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Chauki Bundeli Police Station- Tendukheda, (Crime No. 59/2020), Mahasamund District Mahasamund Chhattisgarh.

---- Respondent

For Applicants	: Mr. Vijay K. Deshmukh Adv.
For Respondent/State	: Mr. Samir Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23.03.2021**

1. The accused/applicants have moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 59/2020 registered at Police Station- Chauki Bundeli, Police Station- Tendukheda, (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act.
2. The prosecution story, in brief is that, on 06.08.2020, on the basis of information, police personnel have seized total 10 Kg of contraband Ganja from the possession of the applicants. Thereafter, offence has been registered against the present applicants.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in

question. The applicants are in jail since 07.08.2020 and there is no antecedent against the applicants, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that there is no antecedent against the applicants and the applicants are in jail since 07.08.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Ruchi