

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1037 of 2021

1. Sushanto Mishra S/o Parmanand Mishra, Aged About 45 Years, R/o Village Sardha, P.S. Rengali, Tahsil, Lakhanpur, District Jharsuguda (Odisha)., District : Jharsuguda, Orissa
2. Alekho Kishan S/o Milan Kishan Aged About 30 Years R/o Village Sardha, P.S. Rengali, Tahsil Lakhanpur, District Jharsuguda (Odisha)., District : Jharsuguda, Orissa

---- Petitioners

(Applicants)

Versus

- State Of Chhattisgarh Through Police Station Pusour, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

----Respondent

(Non-applicant)

For Petitioners/Applicants – Shri Prahalad Panda, Advocate.

For State/Respondent – Shri Alok Nigam, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-09-2021

1. Heard on the application filed under Section 482 of the Cr.P.C. praying for correction of the typographical error in order dated 22-09-2021 passed in MCRC No.6456 of 2021.
 2. On perusal of the impugned order, it is found that crime number mentioned in paragraph No.1 is 1793 of 2021, whereas, the actual crime number is 161 of 2021. Therefore, the prayer made in this application is allowed. It is ordered that the crime number which is mentioned in the order dated 22-09-2021 of MCRC No.6456 of 2021 as Crime No.1793 of 2021 now be read as Crime No.161 of 2021.
 3. Copy of this order be made part of the order of MCRC No.6456 of 2021.
- Certified copy today.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6456 of 2021**

1. Sushanto Mishra S/o Parmanand Mishra Aged About 45 Years R/o Village Sardha, P.S. Rengali, Tahsil, Lakhanpur, District Jharsuguda (Odisha).
2. Alekho Kishan S/o Milan Kishan Aged About 30 Years R/o Village Sardha, P.S. Rengali, Tahsil, Lakhanpur, District Jharsuguda (Odisha).

---- Applicants**Versus**

State Of Chhattisgarh Through Police Station Pusour, District Raigarh Chhattisgarh.

---- Respondent

For the Applicants : Shri Prahalad Panda, Advocate.
 For the Respondent/State : Shri Sameer Uraon, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****22.09.2021**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.1793 of 2021, registered at Police Station – Pusour, District – Raigarh, Chhattisgarh for the offence punishable under Section 20(b)(ii)(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicants submits that the applicants are in jail since 20.7.2021 and have been falsely implicated in this case. No offence has been committed by these applicants. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the quantity of narcotic substance was seized from the possession of this applicant is more than small quantity. Hence, for these reasons, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, seizure of 10 kg of ganja (narcotic substance) was made from the possession of applicant No.2 – Alekho Kishan whereas, one motorcycle has been seized from the possession of applicant No.1 – Sushanto Mishra. Hence, this case.

6. Considered the submissions and the facts present in this case. As the charge-sheet has been filed and the case is now pending before the trial Court, I feel inclined to grant regular bail to the applicants.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed. In case any default is committed by the

applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi