

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9004 of 2020**

1. Sanjay Dhivar, Son Of Ram Krishna Dhivar, Aged About 37 Years, Resident Of Near Water Tank, Purani Basti, Surya Nagar Gogaon, P.S. Dharsiwa, District Raipur (Chhattisgarh).
2. Omprakash Sahu, Son Of Narendra Sahu, Aged About 28 Years, Resident Of Kabir Nagar, Phase-4, Kabir Nagar, Raipur, District Raipur (Chhattisgarh).

---- Applicants**Versus**

- State Of Chhattisgarh Through: Station House Officer, Police Station Dharsiwa, District Raipur (Chhattisgarh).

---- Respondent

For Applicants	: Shri D. Kushwaha, Adv.
For Respondent/State	: Shri Samir Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05.04.2021**

1. Heard.
2. 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. 533/2020 registered at Police Station- Dharsiwa, District Raipur (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act.
3. The prosecution story, in brief is that, on the basis of information, police personnel have seized total 2.400 Kg of contraband Ganja from the possession of the applicants. Thereafter, offence has been registered against the present applicants and they were taken into custody.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that no antecedents have been

registered against the present applicants and the applicants are in jail since 24.09.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the records.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that no antecedents have been registered against the present applicants and the applicants are in jail since 24.09.2020 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.
8. 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