

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 74 of 2021**

1. Kamlesh Raghuvanshi, S/o Narayan Raghuvanshi, Aged About 32 Years, R/o Village Khursuru Ward No. 1, Police Station-Udaypura, Post Kachwada Tehsil Udaypura District Raisen (M.P.).
2. Shivkumar Raghuvanshi, S/o Ramsharan Raghuvanshi, Aged About 29 Years, R/o Village Ahmadpur, Police Station Bareli, Post - Khargon, Tehsil Bareli, District Raisen (M.P.).
3. Irfan Khan, S/o Raees Khan, Aged About 31 Years, R/o Village Khargon Police Station Bareli, Tehsil Bareli, District Raisen (M.P.).

---- Applicants**Versus**

- State Of Chhattisgarh Through District Magistrate, District-Rajnandgaon Chhattisgarh.

---- Respondent

For Applicants	: Ms. Sharmila Singhai, Adv.
For Respondent/State	: Mr. Samir Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12.04.2021**

1. The matter is heard through video conferencing.
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. 354/2020 registered at Police Station- Basantpur, District Rajnandgaon (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 125 Kg of contraband Ganja which was carried by the applicants in two different vehicles. 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. She further submits that only 49 Kg of ganja has been seized from the possession of the applicants and remaining 76 Kg has been recovered from other vehicles. She next added that no antecedents have been registered against the present applicants and they are in jail since 06.10.2020, 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 06.10.2020 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**