

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9186 of 2020**

1. Ganesh Manchur S/o late Shri Kanhu Manchur, aged about 35 years, Occupation - Labour, R/o village - Gharuwadihi, P.S. Lefaripada, District Sundergarh (Orissa)
2. Harsha Naik S/o Shri Padam Naik, aged about 42 years, Occupation - Labour, R/o village - Bijadihi, P.S. - Lefaripada, District Sundergarh (Orissa)

---- Applicants**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Jaynagar, Police Outpost - Latori, District Surajpur (C.G.)

---- Respondent

For Applicants	:	Mr. Varunendra Mishra, Advocate
For Respondent	:	Mr. Udhaw Sharma, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****06/04/2021**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.244/2020, registered at Police Station - Jaynagar, Police Outpost - Latori, District Surajpur (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act).
2. The prosecution story, in brief, is that the police of police station Jaynagar, Police outpost - Latori, acting on a tip-off, seized 3.90 kilogram contraband article cannabis from the possession of the applicants. Based on this, offence has been registered against the applicants. Present applicants have been taken into custody on 04.11.2020.
3. Learned counsel for the applicant submits that the applicants are innocent and have been falsely implicated in the case.

He further submits that the contraband article cannabis has been seized from the joint possession of the applicants. He also submits that mandatory provisions of the NDPS Act has not been complied with in its letter and spirit. He next submits that the applicants are in custody since 04.11.2020 and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, in particular the quantity of ganja, and further considering the fact that the applicants are in custody since 04.11.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.50,000/- each with one local surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge