

(2019) 10 CHH CK 0218

**Chhattisgarh High Court****Case No:** Miscellaneous Criminal Case (MCRC) No. 4345 Of 2019

Sadanand Bhoi &amp; Ors.

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

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**Date of Decision:** Oct. 24, 2019**Acts Referred:**

- Code Of Criminal Procedure, 1973 - Section 439
- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 20(B)

**Hon'ble Judges:** Rajani Dubey, J**Bench:** Single Bench**Advocate:** Ajay Mishra, Wasim Miyan**Final Decision:** Allowed

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**Judgement**

Rajani Dubey, J

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in

connection with Crime No. 95/2019 registered at police station Chura, District Gariyaband (CG) for the offence punishable under Section 20(B) of the

Narcotics Drugs and Psychotropic Substances Act.

As per prosecution case, applicant No.1 was carrying 14 kgs. 700 grams of ganja in Tata sumo vehicle whereas the applicant No.2 and 3 were

carrying 7 kgs. Of ganja in a Bolero vehicle for selling.

Counsel for the applicants submits that the applicants have been falsely implicated in the crime. He submits that the ingredients of alleged offence is

not attracted against the applicants and the trial may take some time for its disposal and therefore they may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegation against the applicants, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants furnishing a personal bond of Rs. 1,00,000/- with one surety each in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.