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(2019) 10 CHH CK 0218

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 4345 Of 2019

Sadanand Bhoi & Ors.		APPELLANT
	Vs	
State Of Chhattisgarh		RESPONDENT

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

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.