

(2018) 08 CHH CK 0051

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 4745, 4869 Of 2018

Leeladhar Sahu And Ors

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: Aug. 1, 2018

Acts Referred:

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

Hon'ble Judges: Rajendra Chandra Singh Samant, J

Bench: Single Bench

Advocate: Akhilesh Kumar, Anupam Dubey

Final Decision: Allowed

Judgement

Rajendra Chandra Singh Samant, J

1. Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and the incident.

2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have

been arrested in connection with Crime No.381/2018, registered at Police Station-Kotwali, District - Korba (C.G.) for the offence punishable under

Section 20-B of the N.D.P.S. Act.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. Applicants are in jail since 10.06.2018. No

case is made out against him according to the material present in the charge-sheet. Hence, it is prayed that the applicants may be enlarged on bail.

4. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.

5. I have heard the learned counsel for the parties and perused the documents placed on record.

6. On search made by the police personnel of police station - Kotwali, District - Korba, 2.500 Kg. Ganja was recovered and seized from the possession of the applicants. Hence this case.

7. Considered on the submissions made and the contents of the case diary. Considering on the entire material present in the case diary and further taking into consideration the quantity of the contraband seized, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

8. Accordingly, the bail applications filed under Section 439 of Cr.P.C. are allowed.

9. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.