

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7765 of 2018**

1. Gyarsalal S/o Mitthulal Aged About 58 Years Caste- Kuchbandiya R/o Chhola Mandir, Garib Nagar, Police Station- Chhola Mandir, District- Bhopal, Madhya Pradesh., District : Bhopal, Madhya Pradesh
2. Smt. Rekha Singh W/o Malkhan Singh Aged About 33 Years Caste- Rawat, R/o Karila Bamhori Colony, Police Station- Bahadurpur, District- Ashok Nagar, Madhya Pradesh., Madhya Pradesh

**---- Applicants**

**Versus**

- State Of Chhattisgarh Though Station House Officer, Police Station- Nagarnaar, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

**---- Respondent**

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For Applicant	: Mr. Vinod Kumar Tekam, Advocate
For State/respondent	: Mr. Anil S. Pandey, Govt. Advocate.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order On Board**

**31/10/2018**

1. This is the second bail application filed by the applicants under Section 439 of the Code of Criminal Procedure, 1973. Their first application was dismissed as withdrawn.
2. This bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicants for grant of regular bail to them as they are in custody in connection with Crime No.215/2017 registered at Police-Station-Nagarnar District-Bastar(C.G.) for the

offence punishable under Section 20B of Narcotics Drugs & Psychotropic Substances Act.

3. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. Applicants are in jail 7.10.2017. No case is made out against them. The independent witnesses of search and seizure have not supported the prosecution case and the trial is still pending. Hence, it is prayed that they may be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. 45 kg ganja the narcotic substance was seized from the joint possession of these applicants by the police-station-Nagarnaar. Hence, this case.
7. After considering on the evidence on record and perusing the certified copies of the deposition of the witnesses of search and seizure, I am of the view that this is a fit case where applicants should be released on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. are allowed. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Judge

