

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 331 of 2020**

- Ganga Prasad Sahu S/o Udaychand Sahu Aged About 35 Years R/o - Village - Ranai, P. S. - Patna District, - Koriya, Chhattisgarh.

**---- Applicant****Versus**

- State Of Chhattisgarh, Through - S. H. O, Out Post - Basdei, Police Station - Surajpur District - Surajpur, Chhattisgarh.

**---- Respondent****MCRC No. 825 of 2020**

- Bolbam S/o Rambichar (Wrongly Mentioned As Ramvichare As Per Charge Sheet), Aged About 19 Years R/o Village Dhanahara, Police Station And Tahsil Mada, District - Singrouli, Madhya Pradesh.

**---- Applicant****Versus**

- State Of Chhattisgarh. Through : The Station House Officer, Police Of Out - Post Basdei, Police Station Surajpur, District - Surajpur, Chhattisgarh.

**---- Respondent**


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For Applicants	:	Mr. Pushkar Sinha, Adv. in MCRC No. 331/2020. Mr. Anil Gulati, Adv. in MCRC No. 825/2020.
For Respondent/State	:	Mr. H. S. Ahluvalia, Dy. A.G.

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****23/03/2020**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved these first bail applications under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in

connection with Crime No. 435/2019 registered at Out Post- Basdei, Police Station Surajpur, District-Surajpur (C.G.) for the offence punishable under Section 21(C) of Narcotic Drugs and Psychotropic Substances Act.

3. The prosecution story, in brief is that, on the date of incident i.e. 11.11.2019, police was received information by the informant that the present applicants along with other co-accused persons are coming by Motorcycle bearing registration No. CG-16-CB--6310 with the illegal psychotropic injections, cough syrups, tablets and capsules. Thereafter, police personnel searched and seized 12 boxes total 1728 numbers of *Simplexct* capsules, 07 boxes total 1680 numbers of *Pyeevon Spas Plus* capsules and total 1350 numbers of *Alprazolam* Tablets IP from the possession of the applicant Ganga Prasad Sahu and 78 boxes total 11200 numbers of *Simplexct* capsules, 3300 numbers of *Treedol* capsules and 4752 numbers of *Spas Trancan Plus* capsules from the possession of the applicant Bolbam. Thereafter, offence has been registered against the present applicants.
4. Learned counsels for the applicants submit that the applicants are innocent and have been falsely implicated in the crime in question. They further submit that the quantity of seized contraband is more than the small quantity but the less than the commercial quantity. They also submit that the applicants are in jail since 12.11.2019, there is no likelihood of their case being decided in near future, therefore, the present appellants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.

7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the facts that the present applicants are in jail since 12.11.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the applications are allowed.
8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court/remand Court on each and every date given to them by the said Court.

**Sd/-  
(Rajani Dubey)  
Judge**