

(2018) 01 CHH CK 0022

In the Chhattisgarh High Court

Case No : Miscellaneous Criminal Case (MCRC) No. 7283 Of 2017

Vijay Verma And Ors

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 02-01-2018

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 20(B)(ii)(A), 8(C)

Citation : (2018) 01 CHH CK 0022

Hon'ble Judges : Rajendra Chandra Singh Samant, J

Bench : Single Bench

Advocate : Sameer Singh, Vinod Tekam

Final Decision : Allowed

Judgement

Rajendra Chandra Singh Samant, J

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have

been arrested in connection with Crime No.284 of 2017, registered at Police Station - Saja, District - Bemetara, Chhattisgarh for the offence

punishable under Sections 20(B)(ii)(A) and 8(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicants submits that the applicants are in jail since 7.8.2017 and have been falsely implicated in this case. The applicants

are local residents of District Bemetara. The applicants are ready to abide by all the conditions imposed on them. Hence, it is prayed that the

applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application. It is submitted that the offence committed in this case, is of a grievous

nature and as such, the applicants are not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. The brief facts of the case are that on 7.8.2017 the applicants were travelling on motorcycle. The police personnel of P.S. Saja, District Bemetara

stopped the motorcycle and searched the applicants. Applicant No.1 - Vijay Verma was found in possession of 1060 gm of ganja and applicant No.2 -

Tileshwar @ Chhotu Verma was found in possession of 1kg of ganja (narcotic substance), on the basis of which, FIR was lodged and the case has

been registered against the applicants. After completion of investigation, the charge-sheet has been filed.

6. Considering the submissions and the contents of the case-diary and taking into consideration the fact that the applicants are local residents whose

availability can be assured by imposing some suitable conditions and the trial of the case is likely to take some time for its final disposal. On the basis

of these reasons, the application is allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants shall be released on bail on each of them 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 their appearance as and when directed.