

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1984 of 2018

1. Mohan Sahu S/o Chhappa Sahu, aged about 25 years, R/o Village-Swadhin Para Titlagard, District- Balangir (Oddisa).
2. Kiran Podh @ Mathura Bai Podh W/o Muravi Podh, aged about 35 years, R/o Village- Sagar Para, Titlagard, District- Balangir (Oddisa).

---- Applicants

Versus

State of Chhattisgarh Through: Station House Officer, Police Station-Komakhan, District- Mahasamund (C.G.)

---- Respondent

For Applicants	:	Mr. Vikash Pradhan, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel
Order on Board

27/04/2018

1. The applicants have preferred first bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 155/2017 registered at Police Station-Komakhan, District- Mahasamund (C.G.) for the offence punishable under Section 20 (b) of the NDPS Act.
2. As per the prosecution story it is alleged that on the basis of a secret information, police of police station, Komakhan had recovered 9 kg of cannabis from the illegal possession of the applicants. The offence was registered and the present applicants were arrested on 24/02/2018.
3. Learned counsel appearing on behalf of the applicants submits the cannabis so recovered does not come under the commercial quantity.

He further submits that the applicants are in custody since 06/11/2017, charge-sheet has been filed and the trial will likely to take some time to conclude, therefore, they may be released.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly, the fact that the cannabis so recovered does not come under the commercial quantity, the applicants are in custody since 06/11/2017, charge-sheet has already been filed and the trial will likely to take some time to conclude, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, MCRC. No.1984/2018 is allowed. It is directed that the applicants shall be released on bail on their executing personal bond for a sum of Rs. 10,000/- with one surety each for the like amount to the satisfaction of the trial Court. Thereafter, they will appear before the Trial Court on each and every date given by the said Court.

Sd/-
Judge
Arvind Singh Chandel