

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1120 of 2019**

- Shri Sukhu Vishwas S/o Narayan Vishwas Aged About 36 Years R/o Pratappur Naka Khalpara Ambikapur, Thana Ambikapur, Civil And Revenue, District Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Ambikapur, District Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant	: Shri Sumit Shrivastava, Advocate.
For Non-applicant	: Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

26.02.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 568/2018 registered at Police Station – Ambikapur, District Surguja, (C.G.) for the offence punishable under Sections 21-B of NDPS Act.
3. Case of the prosecution, in brief is that on 29.10.2018 Inspector Vinay Singh Baghel posted at police station Ambikapur seized 17.34 gm of brown sugar from the possession of the applicant.
4. Learned counsel for the applicant argued that the applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application and submits that two other cases under NDPS Act have been registered against the applicant.
6. Counsel for the applicant further submitted that alleged seized brown sugar is less than commercial quantity, thus he may be released on bail.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE