

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2173 of 2019**

Pawan Kumar Tigga @ Mannu S/o Shri Prathavi Sen Tigga Aged About 32 Years R/o New Bus Stand Milanpara, Near Namnakala Mandir 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.

---- Respondent

|                   |   |                                |
|-------------------|---|--------------------------------|
| For the Applicant | : | Shri Sunil Sahu, Advocate      |
| For the State     | : | Shri Wasim Miyan, Panel Lawyer |

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**Hon'ble Shri Justice Sharad Kumar Gupta**

**Order On Board****02/04/2019**

1. case listed for admission in motion hearing.
2. Heard.
3. Admit.
4. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
5. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.646/2018 registered at Police Station Ambikapur, District Surguja (C.G.) for the offence punishable under Section 21-b of NDPS Act.
6. Case of the prosecution, in brief is that on 29/11/2018 at about 19.40 hours at New Bus Stand Milanpara Ambikapur, Sub Inspector Suresh Chand Minj seized 15.81 gr. Brown sugar from the possession of the applicant.
7. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
8. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
9. Alleged seized brown sugar is more than small quantity but less than commercial quantity.
10. Looking to the facts and circumstances of the case, looking to the seized quantity of brown sugar, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-

**(Sharad Kumar Gupta)**  
Judge