

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 403 of 2021**

- Sundar Singh S/o. Jaimal Singh Aged About 25 Years R/o.- Shyam Nagar, Behind Gurudwara, P.S.- Telibandha, Raipur, District- Raipur (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Telibandha Police Station, Raipur, District- Raipur (Chhattisgarh)

---- Respondent

For Applicant	:	Mr. Maneesh Sharma, Advocate
For Respondent-State	:	Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**18/03/2021**

1. Heard.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.397/2020, registered at Police Station Telibanda, Raipur, District – Raipur C.G., for the offence punishable under Sections 15, 17, 18-B of the NDPS Act.
3. Applicant was found in illicit possession of 6.5 kg of *doda* (Poppy straw) and 1 kg and 590 gram of opium. The

notified small quantity of poppy straw is 1 kg whereas commercial quantity is 50 kg and above. Similarly, notified small quantity of opium is 25 gram and 2.5 kg and above is the commercial quantity.

4. Learned State counsel would oppose the prayer for grant of bail. However, he would submit that the concerned SHO has not reported any previous criminal antecedent of the applicant.
5. For both the contraband, applicant has been found to be in illicit possession of intermediate quantity i.e., more than small quantity but less than commercial quantity. The applicant is in jail since 27.10.2020 and the concerned SHO has not reported any previous criminal antecedent of the applicant, therefore, considering the length of pre-trial detention, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Certified copy as per rules.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi