

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceeding through video conferencing****MCRC No. 2727 of 2021**

- Basant Bisoi S/o Narayan Bisoi Aged About 31 Years R/o Village Niladari Bihar, Ward No. 16 Thana, Barampur, District Ganjam, Odisha, District : Ganjam, Orissa

---- Applicant

Versus

- State of Chhattisgarh Through: Station House Officer, Police Station Basna, District Mahasamund, Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Respondent

For Applicant	-	Shri Vikas Pradhan, Advocate.
For Respondent/State	-	Shri V.R. Tiwari, Additional Advocate General with Shri Chandresh Shrivastava, Dy. Advocate General.

Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice
Order on Board**02-08-2021**

1. Heard.
2. The applicant has preferred the first bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with Crime No.526/2020, registered at Police Station – Basna, District- Mahasamund (C.G.) for the offence punishable under Section 20 (B) of the Narcotic Drugs and Psychotropic Substances Act.
3. The applicant was found in possession of 15.800 kilogram of contraband Ganja, when he was moving in Hero Honda Glamour Motor Cycle at 16.40 hours on 13-11-2020.

4. Learned State counsel would oppose the prayer for grant of bail. However, he would submit that the concerned Station House Officer has not reported any previous antecedent of having committed similar nature of crime.
5. Considering that the quantity of contraband recovered from the applicant is less than commercial quantity, therefore, provisions contained in Section 37 N.D.P.S. Act would not be applicable. Moreover, he is in jail since 13-11-2020 i.e. for more than eight months and the trial may takes some more time to conclude, 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.

SD/-

(Prashant Kumar Mishra)
Acting Chief Judge

Amardeep