

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3942 of 2021**

1. Sonu Singh S/o Suchit Singh, Aged About 30 Years
2. Kishore Mahanand S/o Bhugal Mahanand, Aged About 44 Years

Both are R/o. Ward No. 2, Nehru Nagar East Bhilai, P.S. Supela,
District Durg Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, P.S. Singhoda, District Mahasamund Chhattisgarh

---- Respondent

For Applicant :- Mr. Bhupendra Singh, Advocate
For Respondent-State :- Mr. Sudeep Agrawal, Dy.A.G.

Proceedings through Video Conferencing

Hon'ble Shri Prashant Kumar Mishra, Ag.CJ
Order On Board

02/08/2021

1. The applicant has preferred this bail application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.08/2021 registered in Police Station Singhoda, District Mahasamund C.G. for the offence punishable under Section 20(B) of the NDPS Act.
2. Both the applicants were found in illicit possession of 30 kg of cannabis (*ganja*) when hyundai accent car in which they were traveling was intercepted near Odisha - C.G. border on 26.1.2021.
3. Learned counsel for the applicant submits that even if the entire

story is accepted, both the applicants would be deemed to be in possession of 15 kg of cannabis each which is less than the commercial quantity, therefore, the applicants are entitled to be released on bail.

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 applicants about their involvement in commission of similar nature of crime.
5. Considering the entire fact situation of the case as also for the fact that applicants are in jail since 26.1.2021 i.e., for about 7 months; charge-sheet has already been filed; applicants have no previous criminal antecedent and trial may take sometime to conclude, I am inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicant are directed to be released on bail on each of them 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. They are 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)
Acting Chief Justice

Ayushi