

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4599 of 2021**

- Madhusudan Namdev S/o Devand Namdev Aged About 20 Years Caste Darji , Occupation Labour , R/o Brahmapara Ward No. 34 Ambikapur District Surguja Chhattisgarh.

----- Applicant**Versus**

- State Of Chhattisgarh Through S.H.O. Police Station Kotwali Ambikapur , District Surguja Chhattisgarh.

----- Respondent

For Applicant	:-	Mr. Vidya Bhushan Soni, Advocate
For Respondent-State	:-	Mr. V.R. Tiwari, Addl.A.G. with Mr. Sameer Sharma, Dy.G.A.

Proceedings through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag.CJ**
Order On Board**06/09/2021**

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 Special Crime No.607/2021, registered at Police Station Kotwali, District Surguja C.G. for the offence punishable under Section 21(B) of the N.D.P.S. Act.
3. Applicant was found in illicit possession of 24.53 gram of

brown sugar during search of his person carried by the concerned Police on 13.3.2021.

4. The commercial quantity of subject contraband is 250 gram whereas the small quantity is 5 gram, thus the applicant was found in intermediate quantity of the contraband.
5. 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 similar nature of crime.
6. Considering the fact that applicant is in jail since 13.3.2021 i.e., for almost six months and the quantity of contraband is intermediate quantity, I am inclined to release the applicant on bail.
7. Accordingly, the 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)
Acting Chief Justice

Ayushi