



HIGH COURT OF CHHATTISGARH, BILASPUR

2026:CGHC:8596

CRA No. 276 of 2019

- Mayaram Anchala S/o Desiram, Aged About 34 Years, R/o Village Hindubinapal, Thana Ravghat, District Kanker Chhattisgarh, District : Kanker, Chhattisgarh

---- Appellant

Versus

- The State of Chhattisgarh through Police Station Ravghat, District U.B. Kanker Chhattisgarh, District : Kanker, Chhattisgarh

---- Respondent

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22/02/2019	Shri Mahesh Mishra, Shri Anand Kumar Shukla and Shri Parag Kotecha, Advocates for the appellant. Shri Rahim Ubwani, P.L. for the State/respondent. Heard on I.A.No.1, application for suspension of sentence and grant of bail to the appellant. The appellant has been convicted and sentenced by the judgment of conviction and order of sentence dated 05-02-2019, passed in Special (N.D.P.S. Act) Case No.61/2016 by the Special Judge (N.D.P.S. Act) U.B., Kanker, C.G. in the following manner;- <table><tr><th>Conviction</th><th>Sentence</th></tr><tr><td>U/s 20(b)(ii)(b) of Narcotic Drugs and Psychotropic Substances Act, 1985</td><td>R.I. for 2 years and fine of Rs.2,000/-, in default of payment of fine, additional R.I. for 3 months.</td></tr></table> It is submitted on behalf of the appellant that the appellant has been erroneously convicted and sentenced in the impugned judgment of the trial Court. No case is made out. The appellant was arrested later on and has been tried and convicted. The co-accused who has also been convicted has been enlarged on bail by this Court in appeal. The appellant has no different case, therefore he may be granted bail. Per contra, learned counsel for the State opposes the application. Heard learned counsel for the parties and perused the record of the	Conviction	Sentence	U/s 20(b)(ii)(b) of Narcotic Drugs and Psychotropic Substances Act, 1985	R.I. for 2 years and fine of Rs.2,000/-, in default of payment of fine, additional R.I. for 3 months.
Conviction	Sentence				
U/s 20(b)(ii)(b) of Narcotic Drugs and Psychotropic Substances Act, 1985	R.I. for 2 years and fine of Rs.2,000/-, in default of payment of fine, additional R.I. for 3 months.				



trial Court.

After perusing the evidence present in the record of the trial Court and considering the fact that similarly placed co-accused has been released on bail after suspension of sentence of imprisonment imposed upon him, I feel inclined to allow this application.

Accordingly, the application for suspension of sentence and grant of bail is allowed.

It is directed that the jail sentence imposed upon the appellant shall remain suspended during the pendency of this appeal and he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in like sum to the satisfaction of the trial Court for his appearance before the Registry of this Court on **25th of April, 2019**. He shall thereafter appear before the trial Court on a date to be given by the Registry of this Court and shall continue to appear there on all such subsequent dates as are given to him by the said Court, till disposal of this appeal.

Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge