



2026:CGHC:10405

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 1324 of 2017

Tapash Sardar, S/o. Tarak Sardar, Aged About 24 Years, R/o. M.V. 52, Neerakhamar, Nilakhamari, Arkel, Police Station Balimela, District Malkangiri, Orisa.

---- Appellant

Versus

State Of Chhattisgarh, Through Police Station Borai, Dhamtari, Chhattisgarh.

----Respondent

07.02.2018	Mr. Arun Kochar, Advocate for the Appellant. Ms. Astha Shukla, Panel Lawyer for the State. Heard on I.A.No.1, application for suspension of sentence and grant of bail. The appellant stands convicted by the judgment dated 08.08.2017 passed by the learned Court below in Special Criminal Case No.128/2016 for the offence under Section 20(ख)(II)(ख) of N.D.P.S. Act and sentenced to undergo R.I. for 6 years and fine of Rs.30000/- with usual default stipulation. Learned counsel for the appellant submits though the incident was of 27.10.2016, the Cannabis seized was sent for FSL on 04.11.2016 and even in the Malkhana the goods were not deposited and the independent witnesses have not supported the case of the prosecution; therefore, the appellant may be released on bail. Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail.



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Perused the statement of PW-6 and Ex.P-22(C) wherein it shows *prima facie* the deposit of Cannabis were made on 28.10.2016. Further considering the statement of I.O. (PW-10), I am not inclined to suspend the sentence and release the appellant on bail.

Accordingly, I.A.No.1, application for suspension of sentence and grant of bail is dismissed.

Sd/-
(Goutam Bhaduri)
Judge