



2026:CGHC:10400

HIGH COURT OF CHHATTISGARH, BILASPUR
CRA No. 1085 of 2019

1. Narad Sahu S/o Shri Mattu Lal Sahu Aged About 32 Years R/o Village - Hathband Thana - Simga, District Balodabajar - Bhatapara Chhattisgarh.
2. Kaushilya Bai W/o Shri Ijraiel Masih Aged About 57 Years R/o Village - Hathband Thana - Simga, District Balodabajar, Bhatapara Chhattisgarh.

---- Appellants

Versus

- State Of Chhattisgarh Through The District Magistrate Mahasamund District Mahasamund Chhattisgarh.

---- Respondent

07/08/2019	Mr. Sunil Sahu, Counsel for the Appellants. Mr. Sushil Sahu, PL for the Respondent/State. Heard on admission. Admit. Also heard on IA No. 01/2019 for suspension of sentence and grant of bail to the Appellants. By the impugned judgment dated 06/07/2019, passed by the learned Special Judge (NDPS Act) District Mahasamund (C.G.) in Special Criminal Case (NDPS) No. H- 03/2018, the Appellants stand convicted under Section 20 (b) (ii) (B) of the NDPS Act and sentenced to undergo RI for 3 years with fine of Rs. 10,000/-, with default stipulation. Learned counsel for the Appellants submits that the Appellants have wrongly been convicted by the Trial Court in the judgment without there being any cogent and reliable evidence in support of the prosecution case. He further submits that some mandatory provisions of the Act have not been complied with. The Appellants are in custody near about 1 year out of 3 years of their



jail sentence. Hence, it is prayed that their bail application may be allowed.

On the other hand learned Counsel for the State opposes the bail application.

I have heard learned counsel for the parties.

After perusing the impugned judgment and considering this fact that the Appellants are in custody near about 1 year out of 3 years of their jail sentence, this Court is of the opinion that it will be proper to release the Appellants on bail during the pendency of this appeal.

Accordingly, the bail application is allowed.

It is directed that the substantive jail sentence imposed upon the Appellants shall remain suspended during the pendency of this Appeal and they shall be released on bail on their furnishing a personal bond for a sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court for their appearance before the Registry of this Court on **02.12.2019**. They 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 them by the said Court, till disposal of this appeal.

List this case for final hearing in due course.

Sd/-

(Arvind Singh Chandel)
Judge