

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6585 of 2015

Smt. Naziya Begam, wife of Mohammad Pinku, aged about 28 years, r/o vill. Habibpur, Tahsil, Bhagalpur, P.S. Babibpur, Civil and Revenue Distt. Bhagalpur (Bihar) ... **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer, P.S. Bodhghat, Civil & Rev. Distt. Bastar, Jagdalpur ... **Respondent**

For the applicant	:	Mr. Keshav Dewangan, Advocate.
For the Respondent	:	Mr. Anupam Dubey, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.12.2015

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 209/2015 registered at Police station Bodhghat, Distt. Bastar (Jagdalpur) for the offences punishable under sections 20(B)(2-B) of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, when a raid/inspection was conducted by the Police, 8 kgs., of Cannabis was recovered from the possession of the applicant and thereafter she was arrested.
3. Learned counsel for the applicant submits that the seizure was not made from the exclusive possession of the applicant and the possession and recovery cannot be attributed to this applicant, therefore, she may be released on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Having considered the documents of the case diary and the

charge sheet, prima facie, it appears that the seizure was made from the possession of applicant, therefore considering the evidence available and looking to the quantity of Ganja, I am not inclined to release the applicant on bail. Accordingly, this bail application is dismissed.

Sd/-

GOUTAM BHADURI
JUDGE

Rao