

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6810 of 2015

Bisni Bai, W/o. Late Punuram Mochi, Aged About 50 Years, R/o. Ward No. 12, Nagar Panchayat Magarlod, P.S. & Tahsil Magarlod, Distt. Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, P.S. Magarlod, Distt. Dhamtari, Chhattisgarh

---- Respondent

For Applicant : Mr. S.K.Dadsena, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.213/2015, registered at Police Station– Magarlod, District Dhamtari (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on 03.10.2015 on information received the house of the applicant was raided wherein from her possession 2.50 Kg of Cannabis were recovered. Therefore, the offence has been registered.
3. Learned counsel for the applicant would submit that there is non compliance of Section 50 of NDPS Act and the applicant has been falsely implicated in this case. He would further submit that the applicant is in jail since 04.10.2015; therefore, she may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and he would submit that to the credit of the applicant other two cases of NDPS Act were registered and one is still pending which bears crime No.128/2010; therefore, the present applicant is not entitled to grant bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into fact that the Cannabis were recovered from the possession of the applicant and further taking into fact that to the credit of the applicant other cases of NDPS Act has been registered which are pending, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge