
HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6066 of 2015

Sarifa Bee W/o Saleem Khan Aged About 50 Years Musalman, R/o Kusamkhunta, P.S. Fingeshwar, Civil & Rev. Distt. Gariyaband, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, P.S. Fingeshwar, Distt. Gariyaband, Chhattisgarh.

---- Respondent

For applicant - Shri Vivek Tripathi, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/11/2015

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No. 123/2015 registered in Police Station Fingeshwar, District-Gariyaband (C.G.) for offence punishable under section 20 (B) of the N.D.P.S. Act.
2. As per the prosecution case a secret information was received that the applicant was involved in selling of the cannabis, police raided house of the applicant and thereafter search was made in person and subsequently the house being searched 1kg 700 gram cannabis were recovered from the possession of the applicant. Thereafter, offence was registered.
3. Learned counsel for the applicant submits that cannabis were not

found in exclusive possession of the applicant. It is further submitted that applicant is a lady aged about 50 years and she is in jail since 30/07/2015. He submits that considering the fact that recovery was not made from the possession of the applicant, she may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have gone through the case diary. Perusal of the case diary papers shows that from the possession of the applicant no cannabis were recovered, cannabis were recovered from inside the stored rice from the house of the applicant wherein other persons also reside. Taking into fact that charge sheet has been filed and applicant is a lady aged about 50 years and recovery was made from the house, without any observation on merit, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on her furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for her regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE