

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6716 of 2015

Smt. Deepali Burman, W/o. Nihar Kant Burman, Aged About 55 Years,
R/o. Shastri Nagar, Ward No.21, Dalli Rajhara, P.S. Dalli Rajhara, Tah.
Doundi, Distt. Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through P.S. Dalli Rajhara, Distt. Balod,
Chhattisgarh

---- Respondent

For Applicant : Mr. M.P.S.Bhatia, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08/12/2015

1. This is the second 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.307/2015 (However, in the earlier bail application i.e. M.Cr.C. No.5740/2015 it was wrongly mentioned as Crime No.286/15) registered at Police Station- Dalli Rajhara, District Balod (C.G.) for the offence punishable under Section 20(b)(ii)(B) of NDPS Act.
2. The first bail application was dismissed as withdrawn by this Court with liberty to file afresh after filing of the charge sheet and now the charge sheet has been filed.
3. Case of the prosecution, in brief, is that on 06.09.2015 the house of the applicant was raided by the police and 4.584 Kg of Cannabis were recovered from the possession of the applicant.
4. Learned counsel for the applicant submits that since the husband of the applicant has been implicated in the earlier case and while

the police had come to house of the applicant in connection with earlier crime of her husband, she has been inculpated. He further submits that the applicant is not in exclusive possession of the contraband and she has been falsely implicated.

5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Having regard to the facts and circumstances of the case and taking into the nature and gravity of offence and considering the fact that the cannabis were recovered from the possession of the applicant in her house, I am not inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge