

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C No. 5573 of 2015**

Smt. Anupa Soni, aged about 27 years, w/o Shri Gautam Soni,
R/o Rawabhata Gokul Nagar, Khamtarai, Raipur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through SHO, Police Station Khamtarai,
Raipur (C.G.)

---- Non-applicant

For Applicants:	Shri Vikram Singh, Advocate	
For Respondent/State:	Shri Anil S. Pandey, Dy. Govt.	Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/10/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No.266/2015 registered at Police Station Khamtarai, District Raipur for the offence punishable under Section 20 (B) of the NDPS Act.

(2) Case of the prosecution, in brief, is that present applicant was found in possession of 3.070 Kg. of *Ganja*, which she was carrying unauthorizedly for sale.

(3) Counsel for the applicant submits that the statutory compliance as required under the NDPS Act has not been complied with while making seizure of the alleged *Ganja* and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Having heard learned counsel for the parties, having regard to the facts and circumstance of the case and looking to the quantity of ganja and considering the fact that the applicant has to establish the fact of non compliance of the provisions contained in Section 20(B) of the NDPS Act during trial, I am of the opinion that it is not a fit case in which the accused/applicant should be granted regular bail. Accordingly, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-