

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2256 of 2016

1. Smt. Laxmi Singh, W/o. Vikas Singh, aged about 28 years, R/o. Darripara, Ambikapur, Police Station Manipur, Ambikapur, District – Surguja (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station – Ambikapur, District – Surguja (Chhattisgarh)

---- Respondent

For Applicant	: Mr. V.K. Pandey, Advocate
For Respondent/State	: Ms. Shobha Kashyap, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/06/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.63/2016, registered at Police Station – Ambikapur, District – Surguja (C.G.) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substance Act, 1985.
2. Case of the prosecution, in brief, is that on 28.01.2016 on raid being made, from the possession of the applicant, 4.5 kg of cannabis were recovered. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant is in jail since 28.01.2016 and she has two children one of three years and

another daughter is of nine months and no further seizure is required, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the statements. Perusal of the statements and case diary shows that from the possession of the applicant, 4.5 kg cannabis were recovered and the applicant is in jail since 28.01.2016 along-with her daughter of nine months. Considering the fact that the applicant is a lady and lodged in jail along-with her daughter of nine months and no further seizure is required, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge