

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3135 of 2016

Smt. Safijan @ Chandani, W/o. Shamsher Mohammed, Aged About 45 Years, R/o. Village : Chhapora, Police Station Vidhan Sabha Raipur, District : Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station : Vidhan Sabha, District : Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. C.R.Sahu, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/06/2016

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.73/2016 registered at Police Station Vidhan Sabha, Raipur, District Raipur (C.G.) for the offence punishable under Section 20(B) of Narcotic Drugs & Psychotropic Substance Act.
2. As per the prosecution case, on 06.03.2016, on information received that the applicant is having Cannabis, on a raid being made, total 2 Kg Cannabis was recovered, therefore, the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and the Cannabis was not recovered from the house of the applicant but infact it was kept in a Plastic Bucket, which was not in conscious possession of the applicant. He further submits that the charge sheet has been filed

and no further evidence is required and the applicant is in jail since 06.03.2016, therefore, she may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the quantity of seized Cannabis which is 2 Kg and further considering the fact that the charge sheet has been filed and the applicant is in jail since 06.03.2016, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge