

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3252 of 2016

Bhagwati Bai W/o Rajesh Mahar Aged About 28 Years R/o Dam
Side Wardno. 12 Rajhara, P.S. Rajhara, District Balod Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Gunderdehi,
District Balod Chhattisgarh.

---- Respondent

For applicant - Shri B.P. Singh, Advocate.
For Respondent/State – Shri Arvind Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

5/07/2016

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No. 76/2016 registered in Police Station Dallirajhara (District Balod) for offence punishable under section 20(B)(2) (II) of NDPS Act.
2. As per the prosecution case on a information received that the applicant is in possession of cannabis and is going to sell the cannabis, on raid being conducted from the house of the applicant 4 kg 50 gms of cannabis were recovered.
3. Learned counsel for the applicant submits that the cannabis were not recovered from the possession of the applicant and there has been breach of Section 55 and Section 50 of the NDPS Act and the search was made by male person and the applicant is a lady, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary. It shows that from the house of the

applicant 4 kg 50 gms of cannabis were recovered. Taking into such fact and the seizure which prima facie shows from the house of the applicant which is in possession of the applicant cannabis were recovered, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE