

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3957 of 2016

Smt. Shakila Begum, W/o. Sagir Mohammad, aged about 45 years,
R/o. Ward No.10, Near Old Fish Market, Mahasamund, Police Station,
Tahsil and District – Mahasamund (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : the Station House Officer, Police
Station Tendukona, District – Mahasamund (C.G.)

---- Respondent

For Applicant	:	Mr. Vikas Pradhan, Advocate
For Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

22/07/2016

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. 55/2016 (wrongly mentioned as 55/2015), registered at Police Station- Tendukona, District – Mahasamund (C.G.) for the offence punishable under Section 20(b) (II) (B) of Narcotic Drugs Psychotropic Substance Act.
2. Case of the prosecution, in brief, is that on 15.05.2016 on a raid being made from the possession of the applicant 1.5 kg cannabis was recovered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is submitted that the contraband was not seized in person from the applicant. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 05.05.2016 and no further evidence 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 for the parties.
6. Considering the facts and circumstances of the case, quantity of the cannabis seized and further taking into the fact that charge-sheet in this case has been filed, applicant is in jail since 05.05.2016 and no further evidence is required, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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