

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4760 of 2016

1. Smt. Akila Begum, W/o. Arif Mohammad Sheikh, aged about 40 years, R/o. Joginagar, Basantpur, Rajnandgaon, Tahsil & District – Rajnandgaon (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station -City Kotwali, Rajnandgaon, District Rajnandgaon (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Shivendra Bhardwaj, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/08/2016

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.492/2016, registered at Police Station – City Kotwali, Rajnandgaon, District – Rajnandgaon (C.G.) for the offence punishable under Section 20 (b) of Narcotic Drugs Psychotropic Substances Act.
2. Case of the prosecution, in brief, is that on 20.07.2016 on information received that the applicant has kept the cannabis for sale, a raid was conducted and from the possession of the applicant 1.450 k.g. of cannabis was recovered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the seizure was not made in

person from the present applicant. It is further submitted that the applicant is in jail since 20.07.2016 and no further investigation is necessary, 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 documents. Considering the facts and circumstances of the case and the quantity of the cannabis so recovered from the possession of the applicant i.e. of 1.450 k.g., 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