

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1741 of 2016

Smt. Deepali Burman W/o Nihar Kant Burman Aged About 55 Years
R/o Shastri Nagar, Ward No. 21, Dalli Rajhara, P.S. Dalli Rajhara,
Tahsil Doudi, District Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Dalli Rajhara, District Balod, Chhattisgarh.

---- Respondent

For applicant - Shri N.S. Dhurandhar, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/03/2016

1. This is fourth bail application under Section 439 of Cr.P.C. The first bail application was dismissed as withdrawn on 2/11/2015, the second bail application was dismissed on merits on 8/12/2015 and the third bail application was dismissed as withdrawn with liberty to renew the prayer after examination of the seizure witness.
2. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No. 307/2015 (as per challan) (wrongly mentioned as crime no. 286/15) registered in Police Station Dalli Rajhara, Tahsil Doudi, District Balod (C.G.) for offence punishable under section 20 (b) (ii) (B) of N.D.P.S. Act.
3. Learned counsel for the applicant submits that seizure witnesses have now been examined and they have not supported the case of the prosecution, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. I have perused the statement, the charge sheet and the documents. Prima facie seizure witnesses have not supported the case of the

prosecution, however the possession of cannabis cannot be ascertained only by reading statement of two witnesses by ignoring the statement of I.O. as the seizure made were of 4 kg of cannabis. Therefore this court is not inclined to release the applicant on bail.

6. Accordingly, the fourth bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE