

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7667 of 2015

- Mehak @ Shamakhan daughter of Rahman Khan, Aged About 26 Years Caste Muslim, R/o Jawahar Para, Ward No. 11, Balod, Police Station Balod, District Balod (Chhattisgarh) --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Balod, District Balod (Chhattisgarh) --- **Respondent**

For the applicant	:	Mrs. Smita Jha, Advocate.
For the Respondent	:	Mr. Anupam Dubey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 408/2015 registered at Police station Balod Distt. Balod (C.G) for the offences punishable under section 8 read with section 20(B) of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, on receipt of information the Police has inspected the house of applicant and from the possession of the applicant, 2 Kgs., of contraband Ganja was recovered from her, thereby the offence is committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and she is not in conscious possession of Cannabis which was recovered from the open place and not from the house. She further submits that the applicant is not the only inmate of the house, therefore, she has been falsely implicated in this case. She further submits that the charge sheet has been filed and the applicant is in jail since

02.09.2015, 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.
6. Having regard to the quantity of cannabis seized and further considering the fact that the alleged seizure has already been made and the applicant is a lady and is in jail since 02.09.2015 as also the fact that the charge sheet in this case has already been filed, I am inclined to release the applicant on bail.
7. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on her furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. She will appear before the trial Court as and when directed by the said Court.
8. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**

Rao