

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5909 of 2016

- Smt. Padma Bai Widow of Late Chandrabhushan Aged About 40 Years R/o Village-Pairi, Police Station- Gunderdehi, District- Balod, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station - Gunderdehi, District- Balod, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. B.P. Singh, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.09.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 231 of 2016 registered at P.S. Gunderdehi, District Balod (C.G) for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act.
2. As per the prosecution case, on information received by the Police that the applicant is in possession of contraband cannabis, a raid was conducted on 31.08.2016 and during such raid 1700 grams of Ganja was recovered from the applicant.
3. Learned counsel for the applicant would submit that the applicant who is a lady has been falsely implicated and the Ganja was not recovered from her conscious possession and since the seizure has already been made no investigation is necessary, therefore, she may be released on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of witnesses and the documents.

6. Looking to the quantity of Ganja i.e., 1700 grams allegedly recovered and further taking into fact that the recovery has already been made and no further investigation is necessary as also the fact that the applicant is a lady and is in jail since 30.08.2016, I am inclined to release her on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE