

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6210 of 2016

1. Revati Chandra, D/o. Late Ram Sanehi Chandra, Aged About 42 Years.
2. Bhuneshwari, D/o. Late Ram Sanehi, Aged About 40 Years.

Both by Caste- Chandra, R/o. Village- Kekarbhatha, Police Station- Baradwar, Tahsil- Sakti, District- Janjgir- Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station- Baradwar, District- Janjgir- Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vikay Kumar Sahu, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06.10.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.195/2016 registered at Police Station- Baradwar, District Janjgir-Champa (C.G.) for the offence punishable under Section 20(B)(c) of Narcotic Drugs Psychotropic Substances Act.
2. As per the prosecution case, on a secret information received that the applicants are in possession of the contraband Cannabis, on raid being conducted, from the possession of the applicants, total 37 Kg of Cannabis was recovered; thereby the offence has been committed.
3. Learned counsel for the applicants would submit that the contraband Cannabis was not seized from the possession of the applicants instead it was seized from an open place, therefore conscious possession cannot be attributed to this applicants. He

further submits that the applicants are ladies and they have been falsely implicated and are in jail since 13.06.2016, therefore, they may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the seizure witness. Prima facie, it appears that from the possession of the applicants, total 37 Kg Cannabis was recovered. Taking into such fact and the quantity of seized Cannabis, I am not inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge