

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3956 of 2017

Smt. Droupati Bai Widow of Late Dhan Singh Chouhan, Aged About 60 Years R/o Mohbhata, P S & District Bemetara (Chhattisgarh.)

---- Applicant

Versus

State of Chhattisgarh Through The Station House Officer, Police Station Bemetara, District Bemetara (Chhattisgarh.)

---- Respondent

For Applicant	:	Mr. Jitendra Gupta, Advocate
For Respondent/State	:	Mr. Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Anil Kumar Shukla

Order On Board

02/06/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 127/2017 registered at Police Station Bemetara, District Bemetaram (C.G.) for the offence punishable under Section 20(B) of the Narcotics Drugs and Psychotropic Substance Act, 1989.
2. As per the prosecution, the allegation against the present applicant is that the applicant was found to be in possession of 2 ½ Kgs Ganja. Subsequently, the case was registered u/s 20(B) of the NDPS Act and the present applicant was arrested on

27.02.2017 since then she is in jail.

3. Learned counsel appearing for the applicant submits that it is the first offence u/s 20 B of NDPS Act. Learned counsel further submits that the applicant is in jail since 27.02.2017 and the quantity of seized Ganja of 2 ½ Kgs, therefore, considering these facts the applicant may be released on bail.
4. Learned counsel for the State opposes prayer for grant of bail.
5. Considering the facts and circumstances of the case and also the quantity of Ganja which is alleged to have been seized from the possession of the applicant and the fact that the applicant is in jail since 27.02.2017, I am of the view that it is a fit case where the applicant can be released on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs. 20,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance before the trial Court as and when directed.

Sd/-
(Anil Kumar Shukla)
Vacation Judge