

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2239 of 2017

Smt. Devanti Sahu, W/o. Late Shivsharan, aged about 42 years, R/o. Parasdiha Chowki – Wadrafnagar, P.S. - Basantpur, District – Balrampur – Ramanujganj (C.G.)

----Applicant

Versus

State of Chhattisgarh, Through : the Police Station – Basantpur, District – Balrampur – Ramanujganj (C.G.)

---- Respondent

For Applicant : Mr. A.N. Pandey, Advocate

For Respondent/State : Mr. O. P. Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/04/2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.126/2016, registered at Police Station – Basantpur, District – Balrampur – Ramanujganj (C.G.) for the offence punishable under Section 21 (B) of N.D.P.S. Act. The first bail application was dismissed for want of prosecution vide order dated 03.03.2017 in M.Cr.C. No.1104/2017.
2. As per the prosecution case, on 12.11.2016 on information received that the applicant was carrying narcotic drugs while she was in the bus stand, she was intercepted and from her possession 120 bottles of Corex syrup was recovered. Subsequently, during investigation it revealed that said Corex syrup was supplied by one Satya Prakash. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and no seizure was made from the present applicant. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 12.11.2016, , therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perusal of the case diary would show that from the present applicant 120 bottles of Corex syrup was recovered and at the instance of the applicant, other co-accused was also arrested and from Tick-wood plantation, the other drugs were recovered. Considering the facts and circumstances of the case and the recovery made, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge