

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 322 of 2018

Smt. Bappa Pillai W/o Late Raju Pillai, Aged About 50 Years Resident
Badepatthar, Police Station- Ranjhi, District Jabalpur Madhya Pradesh,
Madhya Pradesh **---- Applicant**

Versus

State Of Chhattisgarh Through Police Station- Bodhgath, Jagdalpur, District
Bastar, Chhattisgarh., Chhattisgarh **---- Respondent**

For Applicant	:	Mr. R.K. Bhagat, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, PL

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

16/03/2018

Heard.

1. The applicant has been arrested in connection with Crime No.146 of 2017 registered at Police Station- Bodhgath, District Bastar (CG) for the alleged commission of offence under Section 20(B) of NDPS Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 08.05.2017, charge-sheet in this case has been filed after completion of investigation and no case is made out on the basis of the material present on record. Learned counsel for the applicant further submits that in the same transaction, the ganja is alleged to have been recovered from the possession of one Smt. Vidya Kushwaha on the same date and spot for which, a separate Crime No.148 of 2017 has been registered by the same police station. She has been granted bail by this Court in M.Cr.C. No.267 of 2018 and the applicant is also similarly situated, therefore, the applicant may also be granted bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.

5. According to the prosecution case, on search made by the police personnel of Police Station – Bodhgath, District – Bastar, 9 Kg. of Ganja was found in the possession of this applicant, which was seized accordingly. Hence this case. It is also found that another accused Smt. Vidya Kushwaha, who was also allegedly found carrying ganja in quantity of 8.106 kg., was also arrested while going along with the applicant in the present case. She was arrested on 08.05.2017 i.e. on the same day, the present applicant was arrested. In that case, charge-sheet has been filed and she has been granted bail.
6. Considered the submissions made and the contents of the case diary. Considering the material present in the case diary, as the case is presently before the trial Court and the trial against this applicant is likely to take sometime and he is in jail since 08.05.2017, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-
(Manindra Mohan Shrivastava)
Judge