

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6308 of 2018**

- Kalawati Rajak W/o Shri Kandhi Lal Rajak Aged About 45 Years R/o- Village- Barwan, Post- Kareli, Police Station- Sugatala, District : Narsimhapur, Madhya Pradesh

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- GRP Bilaspur, District- Bilaspur, Chhattisgarh.

---- Non-applicant

For Applicant : Shri Amit Singh, Advocate.

For Non-applicant : Shri Ashok Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****10.10.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 73/2018 registered at Police Station – GRP Bilaspur, District – Bilaspur (C.G.) for the offence punishable under Section 20(B) NDPS Act.
3. Case of the prosecution, in brief is that Inspector R.K. Borjha, SO GRP Bilaspur received an information on 20.03.2018 that one woman is present in platform No. 1 having Ganja. On very day he seized 13 Kg Ganja from the applicant.
4. Learned counsel for the applicant argued that the alleged seizure has been done from open place, the applicant has no criminal

background, she is innocent, therefore, she shall be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant.

7. Consequently, the present bail application is rejected.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE