

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1484 OF 2016**

Padmini @ Merry Sahu, W/o Shri Jogender Sahu, Aged about 38 years, R/o Near Sonu Pan Thela Devridih, at present resident of Budhwari Bazar, P.S. Torwa, District Bilaspur (C.G.)

---Applicant**Versus**

The State of Chhattisgarh, Through Station House Officer of Police Station Torwa District Bilaspur (C.G.)

---Non-applicant

For Applicant	:	Mr. Shivang Dubey, Advocate
For Non-applicant	:	Mr. Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****31/03/2016**

1. This is the first 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. 51/16, registered at Police Station Torwa District Bilaspur (C.G.), for the offence punishable under Section 20(b) of Narcotic Drug and Psychotropic Substance Act.

2. Case of the prosecution, in brief, is that, 1 Kg. Ganja was seized from the possession of the applicant and thereby the applicant has committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case; and even otherwise it is small quantity prescribed under the law. He would further submit that applicant is in jail since 14/02/2016, therefore, she may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; pretrial detention of the applicant and quantity of Ganja i.e. 1 Kg. seized from the applicant which is small quantity as notified by the State Government, this Court is of the opinion that present is the 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 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.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge