

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4353 of 2017

Smt. Durga Singh, W/o. Lavkush Singh, Aged About 21 Years, R/o. Near Kala Pani Tanki, Jhanda Chowk, Pandari, P.S. Civil Lines, Raipur, District (Revenue & Civil) Raipur Chhattisgarh

----Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station : Civil Lines, District -Raipur Chhattisgarh

---- Respondent

For Applicant	: Mr. Yogesh Pandey, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

25/10/2017

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 on 12.01.2017, in connection with Crime No.36/2017, registered at Police Station – Civil Lines, Raipur, District – Raipur (C.G.) for the offence punishable under Section 20 (B) of Narcotic Drugs and Psychotropic Substance Act, 1985.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case and she is in jail since 12.01.2017. It is submitted that the contraband Ganja of 4.6 k.g. has been shown to be recovered from the applicant to falsely implicate her. The trial is proceeding against her before the trial Court and yet has not completed, hence it is prayed that the

applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence charged against the applicant is of grievous in nature, therefore, she is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Considering the facts and circumstances of the case, the applicant is in jail since 12.01.2017 and the trial against the applicant is in progress. Looking to the facts and circumstances of the case, no purpose would be served, if the, applicant is kept in detention for whole period of trial. The applicant is local resident and her appearance can be ensured by imposing conditions, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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 each in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge