

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.7579 of 2017

- Jaibun Nisha Wd/o Late Nazir Khan, Aged About 45 Years
Caste Musalman, R/o Rampur, Near Bilai Mata, Dhamtarai,
District Dhamtari, Chhattisgarh., Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer,
Police Station City Kotwali, Dhamtari, District Dhamtari,
Chhattisgarh., Chhattisgarh.

---- Respondent

For the Applicant : Shri P.P. Sahu, Advocate.

For the Respondent/State : Shri Vijay Bhadur Singh, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30.01.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 504/2017, registered at Police Station – City Kotwali, District –Dhamtari (C.G), for the offence under Section 20 (B) of Narcotic Drugs and Psychotropic Substance Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and she is in jail since 22.11.2017. The trial is likely to take some time for its completion and the applicant is ready to abide by all the

conditions which may be imposed while granting bail to the applicant, hence, the applicant prays for grant of bail.

3. Learned counsel for the State opposes the bail application and submits that the applicant has a criminal history having two previous cases under the provisions of C.G. Excise Act against her, therefore, she is not entitled for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. During searched made 1.700 kg ganja was seized from the possession of the present applicant, on the basis of which the case has been registered against the applicant.
6. Considering the submissions made, contents of the case diary and taking into consideration that the applicant is a local resident, her availability before the trial Court shall not be compromised, if she is released on bail and looking to the facts and circumstance of this case, I am of the view that it is a fit case where the applicant is entitled for grant of bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond for a 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 /-

(Rajendra Chandra Singh Samant)

Judge