

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2131 of 2018

- Asha Mahant W/o Sagar Das Manikpur, aged about 35 years, R/o Atal Awas- 105, Ratakhari Korba, Police Station- Kotwali, District- Korba (Chhattisgarh).

---- Applicant

Versus

- State of Chhattisgarh, Through:- Station House Officer, Police Station- Kotwali, District- Korba (Chhattisgarh).

---- Respondent

For Applicant : Mr. Dharmesh Shrivastava, Advocate.

For Respondent/State : Mr. K. Tripti Rao, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

02/05/2018

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.122/2018 registered at Police Station- Kotwali, District- Korba (C.G.) for the offence punishable under Sections 20(B), of Narcotics Drugs and Psychotropic Substance Act (as per charge sheet).
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. After completion of investigation, charge-sheet has been filed. Applicant is in jail since 26.02.2018. Applicant is a local resident of district Korba and she is ready to abide by all the conditions and directions, which may be imposed while granting bail to her. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application.
4. Heard both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident on a search made by the police personnel of Police Kotwali District- Korba (Chhattisgarh), 2.00 kg ganja (narcotic substance) was found in possession of the applicant from her house, which was seized and case was registered against the applicant. Hence, this case.
6. Considered on the entire material present in the case diary, presently the case is before the trial Court and it is likely to take some time for its conclusion and looking to the fact that she is the local resident of district Korba and her availability before the trial Court shall not be compromised if she is granted bail, for this reason, I am of this view that this is a fit case where applicant should be enlarged on regular 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 local 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