

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5662 of 2018**

- Smt. Rambai Chauhan W/o Late Mangal Chauhan Aged About 48 Years R/o- Village- Bhagwanpur, Neechey Basti, P.S. Kotraroad, Tehsil And District- Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- S.H.O. Kotraroad, Raigarh, District- Raigarh, Chhattisgarh.

---- Non-applicant

For Applicant : Shri Krishna Tandon, Advocate.

For Non-applicant : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****29.08.2018**

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. 190/2018 registered at Police Station – Kotraroad, Raigarh District – Raigarh (C.G.) for the offence punishable under Section 20(b) of the Narcotics Drugs and Psychotropic Substances, Act.
3. Case of the prosecution, in brief is that on 21.07.2018 at about 19:40 hrs at village Bhagwanpur, ASI T.P. Bharadwaj, Police Station Katghora seized 1 Kg. cannabis from the house of the applicant.
4. Learned counsel for the applicant submits that the applicant has no criminal background. She is innocent and has been falsely implicated in the

present case, therefore, she shall be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicant.

6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the trial will take its own time, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the present applicant.

7. Accordingly, the present bail application filed under Section 439 of the Cr.P.C., is allowed.

8. It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of like sum to the satisfaction of the concerned Trial Court with the condition that she will appear before the Trial Court at 11:00 am as and when directed till trial and she would cooperate during the trial, she shall be released on bail.

9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE