

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6247 of 2018**

Smt. Phoolbai Chandra W/o Chotelal Chandra Aged About 42 Years R/o- Bodhsay (wrongly mentioned as Bodhsara), P.O. Beladula, Tahsil Jaijaipur, P.S. Jaijaipur, District- Janjgir- Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- The Station House Officer, P.S. Janakpur, District- Korla, Chhattisgarh., District : Korla (Baikunthpur), Chhattisgarh.

---- Respondent

For the Applicant	:	Ms. Shivali Dubey, Advocate.
For the Respondent/State	:	Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.10.2018**

Heard.

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.73 of 2016, registered at Police Station – Janakpur, District Korla, Chhattisgarh for the offence punishable under Section 20B of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 420 and 120B of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 17.5.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. As the applicant was not present on the spot when

the contraband has been allegedly seized from the car in question and also for the reason that the applicant was not the owner of the car on the date the incident has taken place. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident, the police personnel of police station Janakpur, District Korea made a search of abandoned car bearing registration No. C.G. 04 CF/5880, in which 102 kg of ganja (narcotic substance) was found. This applicant has been made an accused in this case that she has purchased the car from Shivcharan Sahu and the said car was again sold to Vishnu Gupta before the date it was seized.

6. After due consideration of all the material present in the case-diary, I feel inclined to grant regular bail to the applicant.

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 her 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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi