

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4899 of 2019**

- Nasifa Begam @ Billo, aged about 45 years, W/o Asgar Khan, R/o Hemunagar, Chandan Betel Shop Gully, At present, Budhwari Bazar, Torwa, Police Station Torwa, District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Torwa, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Shri Abdul Wahab Khan, Advocate
For Respondent	:	Ms. Akshara Amit, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****15/11/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.232/2019, registered at Police Station – Torwa, District Bilaspur (C.G.) for the offence punishable under Section 20-B of NDPS Act.
2. The prosecution story, in brief, is that the police of police station Torwa, acting on a tip-off, seized 10.00 kg of contraband article cannabis from the possession of the applicant. Based on this, offence has been registered against the applicant. Present applicant has been taken into custody on 17.07.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant is in custody since 17.07.2019, charge sheet has been filed and there is no

likelihood of her case being decided in near future. Therefore, she may be released on bail.

4. On the other hand, counsel for the State opposes the bail application. She submits that as many as 09 cases have already been registered against the applicant, out of which two are related to NDPS Act.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quantity of ganja and further considering the fact that the applicant is in custody since 17.07.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release her on bail.
7. Accordingly, the application is allowed. It is directed that on applicant's furnishing a personal bond in the sum of Rs.1,00,000/- with one surety in the like sum to the satisfaction of the concerned Court for her appearance as and when directed, the applicant shall be released on bail, subject to following conditions:
 - i. That, the applicant shall furnish a specific, undertaking that while on bail, she will not commit any offence of the same nature, otherwise bail granted to her shall be liable to be cancelled and shall co-operate the prosecution during trial.
 - ii That, the accused/applicant shall make herself available for interrogation before the concerned Investigating Officer as and when required and he accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.
 - iii. That, the accused/applicant shall not act, in any

manner, which will be prejudicial to fair and expeditious trial.

Certified copy, as per rules.

Pekde

Sd/-
(Rajani Dubey)
Judge