

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6117 of 2019

Rajkanya @ Kalobai W/o Shri Bilas Mohite Aged About 35 Years R/o Ward No. 03 Sultanpur, Police Station Talegaon, District Amravati (Maharashtra), District : Amravati, Maharashtra --- **Petitioner**

Versus

State of Chhattisgarh through Police Station Farsagaon, District Kondagaon Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Ashutosh Shukla, Advocate.
For the Respondent	:	Mr. Atanu Ghosh, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.10.2019

1. This is third bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.99/2017 registered at Police Station Farasgaon, District Kondagaon (C.G) for the offences punishable under Sections 20-B(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The first bail application was dismissed on 26.06.2018 and the second one was dismissed on 04.01.2019 as withdrawn with liberty to file after six months if the trial is not concluded.
3. As per the prosecution case, on receipt of secret information that certain contraband Ganja is being transported in vehicle bearing No. M.H.32-C/3202 and as per prosecution another vehicle fled away from the scene. Subsequently, few of the accused were arrested. Thereafter co-accused Rahul Honade was arrested on the same date on 08.10.2017 and the present applicant was also arrested after six months i.e., on 23.3.2018.
4. Learned counsel for the applicant submits that subsequent to rejection of bail, the other two accused namely Rahul Honade has been enlarged on bail by this Court by order dated 02.08.2019

passed in M.Cr.C.No.4582 of 2019 and thereafter other accused Sanjay Satpute, Ankit Namdev Wahe, Smt. Rekha Hiwrade and Smt. Mona Chikhalkar have also been enlarged on bail by order dated 30.08.2019 passed in M.Cr.C. No.5401 of 2019. He further submits that the present applicant is a lady and is in jail since 23.02.2018 and the trial is not concluded. He further submits that when the second bail application was dismissed on 04.01.2019 liberty was given to the petitioner to repeat the prayer if the trial is not concluded within six months. It is stated that the trial is being delayed and till date 10 witnesses remained to be examined.

5. Per contra, learned State Counsel opposes the bail application. .
6. Considering the fact that as stated above the other accused have been enlarged on bail and the present applicant is a lady and is in jail since 23.02.2018 and further looking to the delay in trial, I am inclined to allow this bail application at this stage.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**