

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5893 of 2019**

- Smt. Bhuneshwari Dhiwar, W/o Sanjay Dhiwar, Aged About 40 Years, R/o Near Purani Pani Tanki, Gagaon, Raipur, Police Station Gudiyari, District- Raipur, (C.G.).

---- Applicant

Versus

- State Of Chhattisgarh, Through: Police Station Gudiyari, District- Raipur, (C.G.).

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Patel, Adv.
For Respondent/State	: Mr. B.L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing her on regular bail during trial in connection with Crime No. 346/2019 registered at Police Station Gudiyari, District- Raipur, (C.G.) for the offence punishable under Section 20 (B) of the N.D.P.S. Act, 1985.
2. The prosecution story, in brief is that, on the basis of information received by the informant, police personnel searched and seized the 4.400 Kg Ganja from the possession of the present applicant. Thereafter, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The applicant is in jail since 29.08.2019, there is no likelihood of her case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case

diary.

6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 29.08.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given to her by the said Court.

**Sd/-
(Rajani Dubey)
Judge**