

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 201 of 2020**

Miss Amu Singh Rajawat D/o Ram Avatar Singh Rajawat Aged About 21 Years Resident Of Village Chhidi, Post And Thana Lahar, District Bhind Madhya Pradesh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Keshkal , District Kondagaon Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Ashutosh Shukla and Shri Ashok Kumar Komra, Advocates.
For the Respondent/State	:	Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.02.2020**

Heard.

1. This is the second bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn on 23.9.2019 in M.Cr.C. No. 6298 of 2019. The applicant has been arrested in connection with Crime No.93 of 2019, registered at Police Station – Keshkal, District – Kondagaon, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submit that the applicant is innocent and has been falsely implicated in this case. She is in jail since 11.8.2019. This applicant has no connection with the said commission of offence. She was present in the car only because she was misled by co-accused – Rita

Sharma, who is her friend and she wanted to take her on tour to Jagdalpur, therefore, she was accompanying her and others. She has no knowledge about the presence of contraband in the car. The applicant is only 21 years of age, she is also a student and has no criminal antecedents. Hence, for these reasons, 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. It is submitted that in the car from which the contraband has been recovered. This applicant, one woman and two other men were present with a design to show that they are tourists or a family, for transporting the contraband (ganja). Neither they are related to each other nor they are the local residents, therefore, this shows their involvement in the commission of offence equally. Hence, the applicant is not entitled for grant of regular bail.

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

5. According to the prosecution case, on the date of incident, the police personnel of police station Keshkal made a search of a car which was occupied by this applicant and three others. In total, 106.830 kg of ganja was seized from the dicky of the car contained in various bags. Hence, this case.

6. Considering the entire material present in the case-diary, it appears that this applicant does not have any criminal antecedents and also considering the fact that she is a girl of young age pursuing her studies and

her presence in the case concerned can be secured by imposing conditions, therefore, I feel inclined to grant regular bail to the applicant in this case.

7. Consequently, application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned 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