

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7923 of 2019

Preeti Sahu W/o Manoj Sahu Aged About 32 Years R/o Rourkela - 7,
Rourkela, Industrial Township, District - Sundergarh (Wrongly Mentioned
In The Impugned Order), Odisha.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station - Civil Lines, District -
Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Anmol Sharma, Advocate.
For Non-applicant/State	: Mr. Adil Minhaj, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-03-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is a *repeat* bail application filed by the applicant before this Court for grant of regular bail. The earlier bail application MCRC No.5746/2019 was dismissed on merits on 4.10.2019. The applicant has been arrested on 19.8.2019 in connection with Crime No.537/2019, registered at Police Station – Civil Lines, District- Bilaspur, Chhattisgarh for offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. It is submitted by learned counsel for the applicant that the applicant is in jail since 19.8.2019 and also having a child of one year with her in jail. No progress has taken place in the trial against her, however, the seizure witnesses have been examined before the trial Court and have not supported the case of the prosecution. Hence, it is prayed that the applicant be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that already the application of the applicant has been rejected on merits. Hence, the applicant is not entitled for grant of regular bail.
4. Heard learned counsel for the parties and perused the case diary.
5. As per prosecution case, the applicant was found in possession of 7 kg ganja.
6. In present circumstances, the applicant is in jail since about more than six months and no progress has taken place in the trial against her and also for the reason that the independent witnesses have not supported the prosecution case. Hence, under these circumstances, 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 the applicant shall be released on bail on 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.

Certified copy of the order today.

Sd/-
(Rajendra Chandra Singh Samant)
Judge